

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE  
CITY COUNCIL January 25, 2010**

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The regular meeting of the Holtville City Council was held on Monday, January 25, 2010 at 5:30 p.m. in the Civic Center. Council Members present were Colleen Ludwig, David Bradshaw, Jerry Brittsan, Richard Layton and Bianca Padilla. Staff members present were Laura Fischer, Gerry Peacher, Alex Silva, Clint Erro and Glyn Snyder. Rosa Ramirez and City Planner Justina Arce were absent. City Engineer Jack Holt and City Treasurer Pete Mellinger were present. City Attorney Steve Walker was also present.

**CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:**

Mayor Ludwig called the meeting to order at 5:33 p.m.

**CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:**

Mayor Ludwig called the meeting to order at 6:19 p.m.

**PLEDGE OF ALLEGIANCE:**

Mayor Ludwig led the pledge of allegiance.

**CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:**

The City Clerk verified that the agenda was duly posted on January 22, 2010.

**EXECUTIVE SESSION ANNOUNCEMENTS:**

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

*(Government Code Section 54956.9(b))*

Willowbend LLC vs. City of Holtville

No reportable action taken.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**

*(Government Code Section 54956.9(b)(1))*

1 Matter

No reportable action taken.

**CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:**

*(Government Code Section 54956.9(a))*

Claim of Saburo Nimura

No reportable action taken.

**PUBLIC COMMENTS:**

None

**CONSENT AGENDA:**

- 1. Approval Of Minutes Of The Regular Meeting Of January 11, 2010**
- 2. Current Demands #26575 To #26646**

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 COMMUNIQES:**

### **City Manager**

A written report was provided and reviewed by the City Manager. She talked about the Rib Cook Off, Carrot Festival, State of the City Address and Parade. There is a possibility the parking lot at 6<sup>th</sup> and Pine may be closed due to the recent rain. The storm drains installed at Melon and 9<sup>th</sup> worked perfectly during the rain. Also, Holt Avenue has a no cost change order due to the weather and the festival. She reported the CNG Fueling Station will be installed this week. Mrs. Fischer attended the IVEDC Dinner meeting along with Council Members Brittsan and Padilla.

City Engineer reported on the Walnut Avenue and Holt Avenue projects being delayed.

Council Member Bradshaw invited everyone to attend the Chamber of Commerce Banquet where the State of the City Address will be delivered and to the Music Festival at Hot Rods and Beer. This is a new event that has been added to the Carrot Festival activities.

Mayor Ludwig attended the Business Showcase and complimented the Holtville Tribune on their booth.

### **UNFINISHED BUSINESS:**

#### **Discussion/Related Action To Solicit Bids Related To The Preparation Of An Agreement For The Collection And Disposal Of Refuse – Laura Fischer, City Manager**

Council Member Brittsan said the City should attempt to negotiate with Allied Waste and renew an option prior to considering going out to bid. He stated that Allied Waste provides assistance to the Chamber of Commerce during the Carrot Festival and Rib Cook Off and they pay 50% of the Recycling Coordinator's salary. They have a semi-annual cleanup day for the City at no charge. Also, bulk items and Christmas trees can be picked up and waste hauled to the landfill free of charge. Other concerns Mr. Brittsan had included alley maintenance, the 12% franchise fee and utility tax. He said as far as public opinion goes, there is going to be a negative response regardless of what action is taken as was experienced with recent change of police protection.

Council Member Layton asked if the City can still go out to bid if they negotiate with Allied Waste. The City Attorney said that is an option.

Council Member Bradshaw stated he felt the City should go out to bid for the waste hauling contract.

Council Member Padilla requested comparisons from other cities before making a decision. The City Manager will bring this information to the next Council meeting.

Mayor Ludwig said she would like to see the rates reduced.

The City Manager said an ADHOC Committee will be formed to assist with negotiation of the contract.

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Chris Coyle, General Manager of Allied Waste provided a handout and pointed out the benefits of negotiating with them rather than going out for bids.

Manual Perez, Minister of Victory Outreach thanked Allied Waste for the assistance provided to them and recommended the City continue services with them.

Dean Ruffridge from CR&R complimented Allied Waste for the great job they do. He said CR&R can offer the same services and he would like to have the opportunity to bid on the contract.

Lee Hindman from Palo Verde Disposal said he works with both companies in regards to recycling and use of the landfill. He would also like for the City to go out for bid for this contract.

Council Member Padilla asked about the risk of the franchise fees and the City Manager explained that the negotiable risk is that it could be changed.

A motion was made by Council Member Padilla and seconded by Council Member Layton to table this item until the next meeting. The motion carried 4/0 with Council Member Bradshaw descending.

#### **NEW BUSINESS:**

##### **Discussion/Related Action Regarding Modification To The McDougal Park Project – Laura Fischer, City Manager**

Jose Larios, President of Holtville Little League and Luis Imperial, President of Holtville Soccer Club came before Council to offer their support of the McDougal Park Project.

A motion was made by Council Member Bradshaw and seconded by Council Member Padilla to approve modification of the McDougal Park Project eliminating the construction of a concrete berm in the east sand box. All members present were in favor and the motion carried unanimously.

##### **Discussion/Related Action Regarding Modification To Hot Rods & Beer's Conditional Use Permit For One Day Exception And Appeal Planning Commission Decision Regarding Same – Laura Fischer , City Manager**

Council Member Layton stated he was at the Planning Commission meeting and he does not like to be faced with the task of overruling that Board's decision. Mr. Prock was not at the Planning Commission meeting. Mr. Layton said the Planning Commission needed more information to base their decision on. Conditional Use Permits consumes staff's and Planning Commissioner's time and are put in place for a purpose.

Planning Commissioner Jim Predmore said the City was placed in a predicament and liability is his concern. He also said there was not enough information provided to the Planning Commission. Turning Point Ministries has an event planned for the same evening at 7:00 p.m.

Mayor Ludwig stated she appreciates the Planning Commissioners and the job they do for the City. She also reported she receives multiple calls regarding loud music.

Council Member Bradshaw apologized for the lack of communication between the City and the Chamber of Commerce. He said he is in favor of the Music Festival.

John Prock, Owner of Hot Rods and Beer admitted to making mistakes regarding this event and said he is still learning. He wants the City to stand behind him in making this business a success.

Pete Mellinger, City Treasurer and past member of the Planning Commission said he is in favor of the Music Festival. He also said City Council should overrule the Planning Commission only in extremely rare cases and he hopes this type of situation is not repeated.

A motion was made by Council Member Padilla and seconded by Council Member Brittsan to approve modification to Hot Rods and Beer's Conditional Use Permit for one day exception and appeal Planning Commission's decision regarding same. All members present were in favor and the motion carried unanimously.

**Discussion/Action To Adopt RESOLUTION 10-05 Approving A Memorandum Of Understanding With Imperial County For The Implementation Of A Reverse 911 System For Mass Notification – Alex Silva, Fire Chief**

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to adopt Resolution 10-05 approving a Memorandum of Understanding with Imperial County for the implementation of a Reverse 911 System for Mass Notification. The motion carried 5/0 in the form of a roll call vote.

**Discussion/Related Action To Adopt RESOLUTION 10-07 Regarding Surplus Weapons And Equipment Disposal – Clint Erro, Chief of Police**

A motion was made by Council Member Padilla and seconded by Council Member Bradshaw to adopt Resolution 10-07 regarding surplus weapons and equipment disposal. The motion carried 5/0 in the form of a roll call vote.

**Discussion/Related Action To Authorize Change Order For Walnut Avenue Project – Laura Fischer, City Manager**

A motion was made by Council Member Bradshaw and seconded by Council Member Layton to authorize a change order in the amount of \$4,611.00 for the Walnut Avenue Project. The motion carried 4/0. Council Member Brittsan had stepped out of the room momentarily.

**INFORMATION ONLY:**

**Information Only Regarding Mid Year Budget Review – Rosa Ramirez, Finance Manager**

A written report was provided and a Special Budget Workshop meeting was scheduled for Tuesday, February 9<sup>th</sup>.

**Information Only Regarding Capital Improvement Budget Modification – Rosa Ramirez, Finance Manager**

This item will be discussed at the Special Budget Workshop meeting. Information only; no action taken.

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## **Staff Reports**

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

The Chief of Police reported the department has been making plans for the Rib Cook Off. He and two deputies attended a Graffiti Investigations class and Miss Betty's Preschool will be taking a tour of the Police Department next Wednesday.

### **ADJOURNMENT:**

There being no further business to come before Council, Mayor Ludwig adjourned the Regular City Council Meeting at 7:42 p.m.

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Colleen Ludwig, Mayor

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Glyn Snyder, City Clerk

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE  
REDEVELOPMENT AGENCY  
January 25, 2010**

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The regular meeting of the Holtville Redevelopment Agency was on Monday, January 25, 2010 in the Civic Center. Board Members present were Colleen Ludwig, David Bradshaw, Jerry Brittsan, Richard Layton and Bianca Padilla. Staff members present were Laura Fischer, Gerry Peacher, Alex Silva, Clint Erro and Glyn Snyder. Rosa Ramirez and City Planner Justina Arce were absent. City Engineer Jack Holt and City Treasurer Pete Mellinger were present. City Attorney Steve Walker was also present.

**REDEVELOPMENT AGENCY CALLED TO ORDER:**

Chairman Ludwig called the Redevelopment meeting to order at 7:42 p.m.

**PUBLIC COMMENTS:**

None

**CONSENT AGENDA:**

- 1. Approval Of Minutes Of The Regular Meeting Of January 11, 2010**
- 2. Current Demands #1554 To #1556**

A motion was made by Board Member Layton and seconded by Board Member Padilla 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 Capital Improvement Budget Modification – Rosa Ramirez, Finance Manager**

This item will be discussed at the Special Budget Workshop meeting.  
Information only; no action taken.

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

Information only; no action taken.

**ADJOURNMENT:**

There being no further business to come before the Board, Chairman Ludwig adjourned the regular Redevelopment Agency Meeting at 7:47 p.m.

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Colleen Ludwig, Chairman

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Glyn Snyder, Secretary