

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
CITY COUNCIL April 27, 2009**

The regular meeting of the Holtville City Council was held on Monday, April 27, 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 and Glyn Snyder. Rick Watson, Alex Silva and Gerry Peacher were absent. City Attorney Steve Walker, City Engineer Jack Holt, 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 5:30 p.m.

CITY COUNCIL OPEN SESSION MEETING CALLED TO ORDER:

Mayor Padilla called the meeting to order at 6:05 p.m.

PLEDGE OF ALLEGIANCE:

Council Member Bradshaw led the pledge of allegiance.

CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:

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

PUBLIC COMMENTS:

Chris Coyle, Allied Waste reported that Clean Up Day was very successful and he delivered a letter to Council summarizing the amount of waste picked up and the savings of disposal fees to the City.

CONSENT AGENDA:

- 1. Approval Of Minutes Of The Regular Meeting Of April 13, 2009**
- 2. Current Demands #25212 To #25276**

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 also discussed the SB 607 Senate bill which will create the Imperial County Transportation Commission and provide that the commission is the successor agency to IVAG. There will be a Chamber of Commerce mixer at the Holtville Tribune on Thursday, April 30th. The City also received a ballot from the Chamber of Commerce to vote for new directors. There is a webinar scheduled for May 4th regarding ARRA funds. The Mayor Council Member Forum is scheduled for May 7th – 8th. Mrs. Fischer was contacted by a real estate developer who is interested in purchasing Turner Trailer Park.

City Planner

A written planning report was provided and reviewed by the City Planner. She said Hot Rods and Beer has obtained their ABC License and will be having their grand opening on July 4th, Desert View Subdivision is moving forward with off-site improvements on streets, and the Wetlands Lot Line Adjustment has been scheduled by Imperial County. Planning. She also reported Mr. Goyal is beginning to move forward with the Holtville Commercial Plaza project.

Council Member Brittsan stated a town in Pennsylvania used their stimulus check to build a skate park.

City Treasurer Pete Mellinger said the City is at a turning point and he hopes to move forward with the Public Safety Building and the Skate Park.

Council Member Ludwig attended an IVAG meeting. She gave a comprehensive report regarding the SB 607 Senate bill. She discussed the request regarding a voting utility member. It was advised by the City Manager that the appointed City Council member has the discretion to make that decision for the City.

POLICIES AND PROCEDURES:

None

CONTACTS BY DEVELOPERS/BUSINESS LOANS:

None

UNFINISHED BUSINESS:

PUBLIC HEARING: Discussion/Related Action On Proposed Downtown Code Project: Negative Declaration, General Plan Amendment, Zone Changes And Code Adoption With Or Without Edits Above Those Recommended By City Staff, The Project Review Committee And The Planning Commission And Incorporated Into The Document

Mayor Padilla opened the public hearing at 6:25 p.m.

Tony Ojeda, Imperial resident and local property owner, asked how he would be affected regarding the size of his lot located on Fifth Street. He stated there has been no growth for Holtville in many years and he would like to see that change and for Council to move forward with the Downtown Code adoption.

Mike Goodsell, 906 Cedar expressed his concerns regarding the restraints associated with new zoning. He does not feel there was enough public input.

Mark Schmidt, Imperial Stores asked what type of permit would trigger a compliance issue and he also expressed concern regarding how the new Downtown Code will affect Imperial Stores.

Council Member Brittsan said he is concerned with the confines and restrictions of a zone change and he can not vote for a code change. He also said he does not agree with the proposed parking and planting of trees.

Laura Goodsell, 906 Cedar expressed her concerns that the zone change will make it difficult for new businesses that want to come to Holtville.

The questions and concerns were answered by the City Planner and the City Attorney.

Receiving no further comments from the audience, the public hearing was closed at 7:25.

a. Discussion/Related Action To Adopt RESOLUTION 09-14 Regarding Certification Of Draft Negative Declaration For General Plan Amendment, Form Base Code Adoption And Zoning Amendment – Justina Arce, City Planner

A motion was made by Council Member Bradshaw and seconded by Council Member Layton to adopt Resolution 09-14 regarding certification of Draft Negative Declaration for General Plan Amendment Form Base Code Adoption and Zoning Amendment. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

b. Discussion/Related Action To Adopt RESOLUTION 09-15 Approving General Plan Amendment Of Land Use Element And Policy Map – Justina Arce, City Planner

A motion was made by Council Member Bradshaw and seconded by Council Member Layton to adopt Resolution 09-15 approving General Plan Amendment of Land Use Element and Policy Map. The motion carried 4/1 in the form of a roll call vote with Council Member Brittsan opposing.

c. Discussion/Related Action To Adopt RESOLUTION 09-16 To Introduce And Waive The First Reading Of ORDINANCE 469 On Form Base Code Adoption And Zone Changes To The Official Zoning Map Of The City Of Holtville – Justina Arce, City Planner

Ms. Arce communicated an edit in the draft maximum area of 10 square feet for electronic signs that had been made by the consultant, PMC, without the direction of either Planning Commission or City Council. She asked that the motion consider

reverting to the originally reviewed and recommended 20 square feet area. A motion was made by Council Member Bradshaw and seconded by Council Member Layton to adopt Resolution 09-16 to introduce and waive the first reading of Ordinance 469 on Form Base Code Adoption, with changes as communicated, and zone changes to the Official Zoning Map of the City of Holtville. The motion carried 4/1 in the form of a roll call vote with Council Member Brittsan opposing.

Discussion/Related Action On Downtown Holtville Logo Selection – Laura Fischer, City Manager

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to use Logo No. 2 inside a monument design used in Logo No. 3 for the Downtown Holtville logo selection. All members present were in favor and the motion carried unanimously.

Discussion/Related Action To Adopt RESOLUTION 09-19 Adopting A Memorandum Of Understanding With The Holtville Police Officers Association – Laura Fischer, City Manager

A motion was made by Council Member Layton and seconded by Council Member Brittsan to adopt Resolution 09-19 adopting a Memorandum of Understanding with the Holtville Police Officers Association. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

NEW BUSINESS:

PUBLIC HEARING: To Solicit Public Comment On Community Development Block Grant Funding Opportunities For Fiscal Year 2009-10 Under The General And Native American Allocation And Planning And Technical Assistance Component – Justina Arce, City Planner

Mayor Padilla opened the public hearing at 7:45 p.m. Receiving no public comments from the audience the public hearing was closed at 7:45 p.m. It was the consensus that management consider multiple projects with the best scoring probabilities inclusive of the prior Smith Subdivision Water Line Project.

Discussion/Related Action To Adopt RESOLUTION 09-18 Designating City Manager As Authorized Agent To Act On All Matters Pertaining To The \$50,000 Transportation Enhancement Grant – Justina Arce, City Planner

A motion was made by Council Member Layton and seconded by Council Member Brittsan to adopt Resolution 09-18 designating City Manager as authorized agent to act in all matters pertaining to the \$50,000 Transportation Enhancement Grant. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

Discussion/Related Action Requesting To Reschedule Regular Meeting Of May 25, 2009 – Laura Fischer, City Manager

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to reschedule the regular meeting of May 25, 2009 to May 26, 2009. All members present were in favor and the motion carried unanimously.

Discussion/Related Action To Adopt RESOLUTION 09-13 To Award Bid For Water Treatment Plant Project – Jack Holt, City Engineer

A motion was made by Council Member Brittsan and seconded by Council Member Layton to adopt Resolution 09-13 to award bid for Water Treatment Plant Project to Pacific Hydrotech Corporation in the amount of \$4,077,394.30. All members present were in favor and the motion carried unanimously 5/0 in the form of a roll call vote.

Mayor Padilla excused herself from the meeting at 8:00 p.m.

INFORMATION ONLY:

Information Only Regarding Annual Housing Element Progress Report – Justina Arce, City Planner

Staff Report was reviewed.
Information only; no action taken.

Information Only Regarding Quarterly CDBG Loan Monitoring Report – Justina Arce, City Planner

Staff Report was reviewed.
Information only; no action taken.

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

This item was postponed until the next meeting.

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

This item was postponed until the next meeting.

ADJOURNMENT:

There being no further business to come before council, Mayor Pro Tem Ludwig adjourned the Regular City Council Meeting at 8:35 p.m.

Colleen Ludwig, Mayor ProTem

Glyn Snyder, City Clerk

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE
REDEVELOPMENT AGENCY**
April 27, 2009

The regular meeting of the Holtville Redevelopment Agency was on Monday, April 27, 2009 in the Civic Center. Board Members present were Colleen Ludwig, Richard Layton, David Bradshaw and Jerry Brittsan. Bianca Padilla was absent. Staff members present were Laura Fischer, Rosa Ramirez and Glyn Snyder. Rick Watson, Alex Silva and Gerry Peacher were absent. City Attorney Steve Walker, City Engineer Jack Holt, City Planner Justina Arce and City Treasurer Pete Mellinger were present.

REDEVELOPMENT AGENCY CALLED TO ORDER:

Board Member Ludwig called the Redevelopment meeting to order at 8:35 p.m.

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval Of Minutes Of The Regular Meeting Of April 13, 2009
2. Current Demands #1487 To #1493

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

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

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Discussion/Related Action To Award Advertising Contract – Laura Fischer, City Manager

A motion was made by Board Member Brittsan and seconded by Board Member Layton to award the advertising contract to Spectrum in the amount of \$6,300. All members present were in favor and the motion carried unanimously.

INFORMATION ONLY:

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, Board Member Ludwig adjourned the meeting at 8:45 p.m.

Colleen Ludwig, Board Member

Glyn Snyder, Secretary