

**THE MINUTES OF THE REGULAR MEETING OF THE HOLTVILLE  
CITY COUNCIL  
September 13, 2010**

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The regular meeting of the Holtville City Council was held on Monday, September 13, 2010 at 5:30 p.m. in the Civic Center. Council Members present were Colleen Ludwig, David Bradshaw, Jerry Brittsan and Richard Layton. Bianca Padilla was absent. Staff members present were Laura Fischer, Rosa Ramirez, Gerry Peacher, Alex Silva, Gordon Johnson and Glyn Snyder. Virginia Mendoza Planner with The Holt Group, City Treasurer Pete Mellinger, City Engineer Jack Holt, and City Attorney Steve Walker were also present.

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

Mayor Ludwig called the meeting to order at 5:32 p.m.

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

Mayor Ludwig called the meeting to order at 6:01 p.m.

**PLEDGE OF ALLEGIANCE:**

Council Member Jerry Brittsan led the pledge of allegiance.

Mayor Ludwig requested a moment of silence for Alfonso and Armando Martinez, brothers and students of Imperial Valley College, who were recently involved in a tragic card accident.

**INVOCATION:**

Mike Goodsell gave the invocation.

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

The City Clerk verified that the agenda was duly posted on September 8, 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.

Aguayo vs. City of Holtville

No reportable action taken.

McGuire vs. City of Holtville

No reportable action taken.

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

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

6 Matter

No reportable action taken.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

*(Government Code Section 54957.6)*

Title: City Manager Evaluation

No reportable action taken.

**PUBLIC COMMENTS:**

Patrick Ward, 660 Maple Avenue requested Council to pass an Ordinance regarding parking vehicles on lawns. He referred to a newspaper article that suggested local City Council Members join together to come up with ideas to alleviate this problem. He stated several of his neighbors on Maple Avenue were parking golf carts, multiple vehicles and motor homes on their front lawns even though they have adequate parking in their driveways. He said Imperial issues tickets with no warnings which carry a \$30 fine which would be extra income to the City. He requested Council continue to keep the City of Holtville moving in a good direction. He also said the City of Imperial was very helpful in his research and they offered follow up services and direction to the City of Holtville.

Sheriff Ray Loera asked if the Police Department would be involved with this issue.

The City Manager read aloud Council Member Bianca Padilla's resignation letter effective September 13, 2010. Mayor Ludwig accepted with great regret. Council Member Layton said it was an honor to serve on City Council with Ms. Padilla. They were elected at the same time and attended a seminar in Sacramento for new City Council Members. Mr. Layton also stated that Ms. Padilla always did her research and made informed decisions.

**PROCLAMATION:**

A proclamation was presented to Gerry Peacher on behalf of his wife Diana Peacher who is the Executive Director at the Cancer Resource Center of the Desert.

The newest ICSO deputy to be assigned to Holtville, Randy McCoy, was introduced by the Chief of Police. He gave a brief history of his background which included serving 24 years in the military and 9 years with the Sheriff's Department. He has also been a resident of Holtville for 8 years.

**CONSENT AGENDA:**

1. Approval Of Minutes Of The Regular Meeting Of August 9, 2010
2. Current Demands #27690 To #27795
3. HOME Program Demands #2032 And #4142
4. Award bid to Ferguson Waterworks for the purchase of a new Vertical Turbine Pump at the Holtville Wastewater Treatment Plant.

A motion was made by Council Member Layton and seconded by Council Member Bradshaw to approve Consent Agenda items 1 through 4. The motion carried 4/0 in the form of a roll call vote.

**REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUES:****City Manager**

The City Manager reviewed the written report provided to Council. She attended a meeting with the Barbara Worth Country Club developer and the resort is in escrow and it is anticipated to close by the first of October. The developer expressed interested in annexing into the City.

The Fire Chief reported 800 Mega Hertz Training was held for school personnel. The Fire Ball is scheduled for October 8<sup>th</sup> and will be held at the Casa de Manana Building at the Fair Grounds in Imperial. He requested the City to sponsor a table and he invited Council Members and City Management Staff to attend this annual event. He participated in the Fire Muster and reported it was very entertaining. The Fire Department and Holtville Unified School District personnel coordinated Council Minutes 09/13/10

a ceremony at the flag pole at Finley school in memory of the fallen heroes during the 9/11 attack on the United States. Fire Chief Silva worked with the Fire Chief from Holtville Alabama orchestrating both elementary schools singing God Bless America at the same time.

Council Member Layton attended the ceremony at Finley School and reported it was a very moving experience and he was honored to be there.

Council Member Bradshaw will be attending the League of Cities Annual Conference with the City Manager in San Diego this week. He also attended an ICTC meeting.

Mayor Ludwig attended a LAFCO meeting and reported the organization is transitioning from the County. She also attended the Welcome Teacher's Luncheon and an Integrated Water meeting with the City manager and Council Member Brittsan.

The Finance Manger attended a RDA Accounting and Financial Reporting Seminar.

The Chief of Police reported a bicycle safety training class was held at The Hut and was very successful with a large number of participants. The event received excellent coverage on U Tube and Officer Benavidez was featured on the front page of the Holtville Tribune.

#### **UNFINISHED BUSINESS:**

##### **Discussion/Related Action Authorizing the Purchase of the "In God We Trust" Sign For The Council Chambers – Bianca Padilla, City Council Member**

A motion was made by Council Member Bradshaw and seconded by Council Member Brittsan authorizing the purchase of the "In God We Trust" sign for the Council Chambers. All members present were in favor and the motion carried unanimously.

##### **Discussion/Related Action To Introduce And Waive First Reading Of ORDINANCE # 471 Regarding Nuisance Abatement – Laura Fischer, City Manager**

This item was changed to an Information Only item per the direction of City Attorney Steve Walker. The item will be placed on the Planning Commission agenda on September 20<sup>th</sup> for their recommendations and further review by the City Attorney.

##### **Discussion/Related Action Authorize Submitting A Request For Proposal For Installation of New Flag Pole – Gerry Peacher, Public Works Manager**

A motion was made by Council Member Layton and seconded by Council Member Bradshaw to authorize submitting a Request for Proposal for installation of a new flag pole and authorize the City Manager to award bid to the lowest bidder. All members present were in favor and the motion carried unanimously.

##### **Discussion/Related Action To Adopt RESOLUTION 10-45 Establishing An Emergency To Sole Source Demolition And Procurement Of Water Tank And Repair Leaking Filtration System – Laura Fischer, City Manager**

A motion was made by Council Member Brittsan and seconded by Council Member Layton to adopt Resolution 10-45 establishing an emergency to sole source demolition and procurement of water tank and repair leaking filtration system. The motion carried 4/0 in the form of a roll call vote.

#### **NEW BUSINESS:**

**Discussion/Related Action For Authorization To Amend Construction Project Scope Of Work For Deconstruction Of The 1.5 MG Water Tank Geotechnical Study – Frank Cornejo, Water Works Supervisor**

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw for authorization to amend construction project scope of work for deconstruction of the 1.5 MG Water Tank Geotechnical Study. All members present were in favor and the motion carried unanimously.

**Discussion/Related Action To Submit New Loan Documentation For Replacement Of 1.5 MG Water Tank – Rosa Ramirez, Finance Manager**

A motion was made by Council Member Bradshaw and seconded by Council Member Layton to submit new loan documentation for replacement of 1.5. MG Water Tank. All members present were in favor and the motion carried unanimously.

**Discussion/Related Action To Introduce And Waive First Reading of ORDINANCE # 475 Amending The Holtville Municipal Code Of The City Of Holtville Title 5 Business Licenses And Regulations Chapter 5.25 Medical Marijuana Dispensaries – Laura Fischer, City Manager**

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to introduce and waive first reading of Ordinance #475 amending the Holtville Municipal Code of the City of Holtville Title 5 Business Licenses and Regulations Chapter 5.25 Medical Marijuana Dispensaries. Sheriff Ray Loera spoke in favor of the Ordinance and encouraged Council to move forward with adoption. The motion carried 4/0 in the form of a roll call vote.

**Discussion/Related Action To Adopt RESOLUTION 10-43 Supporting Business Friendly Practices Of Southern California Association Of Governments – Laura Fischer, City Manager**

A motion was made by Council Member Layton and seconded by Council Member Bradshaw to adopt Resolution 10-43 supporting Business Friendly Practices of Southern California Association of Governments. The motion carried 4/0 in the form of a roll call vote.

**Discussion/Related Action To Authorize Submitting A Request For Proposal For Bid And Scope Of Work For The Alley Approaches And Curb Returns For The Alley Between Pine And Cedar Avenues And Eighth And Ninth Streets And Authorize City Manager To Award Construction To Low Bidder And Sign All Project Related Documents – Laura Fischer, City Manager**

A motion was made by Council Member Layton and seconded by Council Member Brittsan to authorize submitting a Request for Proposal for bid and scope of work for the alley approaches and curb returns for the alley between Pine and Cedar Avenues and Eighth and Ninth Streets and authorize City Manager to award construction to low bidder and sign all project related documents. All members present were in favor and the motion carried unanimously.

**Discussion/Related Action To Adopt Resolution Number 10-47 Approving the Commitment Of A Future Adoption Of An American Disabilities Act (ADA) Compliant Procedure, Completing A Citywide Self-Evaluation, Completing A Transition Plan And Designating An ADA Coordinator – Laura Fischer, City Manager**

A motion was made by Council Member Brittsan and seconded by Council Member Bradshaw to adopt Resolution 10-47 approving the commitment of a future Adoption of an American Disabilities Act (ADA) Compliant Procedure, completing a citywide self-evaluation, completing a transition plan and designating an ADA Coordinator. The motion carried 4/0 in the form of a roll call vote.

Council Member Brittsan will provide pictures of problem areas around the City. Public Works Supervisor, Matt Hughes, reported this was already done by FEMA during the inspection of the sidewalks that were damaged by the April earthquake.

**INFORMATION ONLY:**

**Information Only Regarding The Integrated Regional Water Management Plan – Laura Fischer, City Manager**

Information only; no action taken.

**Information Only Regarding The Vacant Planning Commission Position – Laura Fischer, City Manager**

Information only; no action taken.

**Information Only Regarding The Alamo River Trail Project – Laura Fischer, City Manager**

Information only; no action taken.

**Information Only Regarding The RS 115 And 4<sup>th</sup> Street Improvement Project – Laura Fischer, City Manager**

**Staff Reports**

Written reports were provided by the following: Finance Manager, Public Works Manager, Public Works Supervisor, Water Works Supervisor, Police Chief and City Planner. A Grant Report was also provided.

**ADJOURNMENT:**

There being no further business to come before Council, Mayor Ludwig adjourned the Regular City Council Meeting at 9:00 p.m. following Closed Session.

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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  
September 13, 2010**

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The regular meeting of the Holtville Redevelopment Agency was on Monday, September 13, 2010 in the Civic Center. Board Members present were Colleen Ludwig, David Bradshaw, Jerry Brittsan and Richard Layton. Bianca Padilla resigned effective September 13, 2010 at the City Council meeting. Staff members present were Laura Fischer, Rosa Ramirez, Gerry Peacher, Alex Silva, Gordon Johnson and Glyn Snyder. Gerry Peacher was absent. Virginia Mendoza Planner with The Holt Group, City Treasurer Pete Mellinger, City Engineer Jack Holt, and City Attorney Steve Walker were also present.

**REDEVELOPMENT AGENCY CALLED TO ORDER:**

Chairman Ludwig called the Redevelopment meeting to order at 7:43 p.m.

**EXECUTIVE SESSION ANNOUNCEMENTS:**

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

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

1 Matter

A motion was made by Council Member Brittsan and seconded by Council Member Layton to approve contract with RSG for consulting services related to the HUSD claim. The motion carried 3/0. A motion was made by Council Member Brittsan and seconded by Council Member Layton to reject claim of HUSD. The motion carried 3/0 with Council Member Bradshaw absent.

**PUBLIC COMMENTS:**

None

**CONSENT AGENDA:**

1. Approval Of Minutes Of The Regular Meeting Of August 9, 2010
2. Current Demand #1603 To #1604

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.

**NEW BUSINESS:**

**Discussion/Related Action To Adopt Resolution Number 10-05 Regarding The Commercial Kitchen Business Assistance Program To Assist Local Restaurants With The Cost Of State Mandated Fire Suppression Systems – Rosa Ramirez, Finance Manager**

A motion was made by Board Member Brittsan and seconded by Board Member Bradshaw to adopt Resolution 10-05 regarding the Commercial Kitchen Business Assistance program to assist local restaurants with the cost of State mandated fire suppression systems. The motion carried 4/0 in the form of a roll call vote.

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

None

**ADJOURNMENT:**

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There being no further business to come before the Board, Chairman Ludwig adjourned the Regular Redevelopment Agency Meeting at 7:55 p.m. and reconvened to City Council Executive Session.

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Colleen Ludwig, Chairman

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Glyn Snyder, Secretary