



**CALEXICO CITY COUNCIL/CALEXICO REDEVELOPMENT SUCCESSOR
AGENCY/CALEXICO FINANCING AUTHORITY
REGULAR MEETING AGENDA**

**City of Calexico
Fernando "Nene" Torres Council Chambers
608 Heber Avenue
Calexico, California
www.calexico.ca.gov**

**Tuesday, September 2, 2014
6:30 p.m.**

Council Members

**John M. Moreno, Mayor/Chairman
Joong S. Kim, Mayor Pro Tem/Vice Chair
Luis J. Castro, Councilman
Bill Hodge, Councilman
Maritza Hurtado, Councilwoman**

City Clerk

Gabriela T. Garcia

Interim City Manager

Richard N. Warne

City Attorney

Jennifer M. Lyon

City Treasurer

John T. Quinn

**Next City Ordinance Number: 1157
Next City Resolution Number: 2014-69**

CALL TO ORDER

Call to Order and Attendance.
Pledge of Allegiance.
Approval of the Agenda.

ANNOUNCEMENTS

These proceedings may be viewed on the City of Calexico website at www.calexico.ca.gov the Friday following the City Council meeting.

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. City of Calexico Proclamation for the Calexico Celebration of "Las Fiestas Patrias, El Grito de Independencia" September 14, 2014.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

NOTE: (Not to Exceed 3 Minutes) This is the time for the public to address the City Council on any item not appearing on the agenda that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name and place of residence for the record. While members of the public are encouraged to participate, it is unlawful to disturb or delay the Council meeting with personal or slanderous remarks. If the item you wish to comment on is a closed session or consent item, please comment now. The City Council is prohibited by State law from taking action or discussing items not included on the printed agenda. If the item you wish to comment on is on the public portion of the agenda, we will take your comment when we get to the item on the agenda. Please direct your questions and comments to the City Council.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

CONSENT CALENDAR

All matters listed under the Consent Calendar are to be considered routine by the City Council/Calexico Community Redevelopment Agency Successor Agency or Calexico Financing Authority and will be enacted by one motion in the form listed. Any item may be removed from the Consent Calendar and considered separately by the City Council.

2. City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meeting of August 5, 2014, August 19, 2014, December 3, 2013 and December 17, 2013, November 19, 2014, October 1, 2013 and Special Meeting of May 21, 2014.
3. Second reading/Adoption of Regular Ordinance No. 1156 regarding Local Restrictions on Outdoor Use of Water Pursuant to Statewide Drought Conditions.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

DISCUSSION AND POTENTIAL ACTION ITEMS

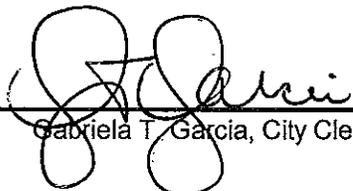
4. Proposed Fiscal Year 2014-2015 Budget Workshop.

FUTURE AGENDA ITEMS

ADJOURNMENT

It is the intention of the City of Calexico to comply with the Americans with Disabilities Act in all respects. If you are a person with a disability who requires a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, please request such modification or accommodation from the City Clerk at (760) 768-2102. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Please advise us at the time whether you will require accommodations to participate in meetings on a regular basis. Any person affected by any application on this agenda may submit their concerns in writing prior to the meeting or appear in person and be heard in support or opposition to the proposal at the time the matter is considered on the agenda. The staff reports, applications and environmental documents may be viewed at either the office of the office of the City Clerk, 608 Heber Avenue from 8:30 a.m. until 5:30 p.m. Monday through Thursday, except legal holidays. Telephone inquiries may be made at (760) 768-2102. If you challenge any agenda issue in court, you may be limited to raising only those issues that you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the City of Calexico at, or prior to, the public meeting.

This notice of agenda is hereby certified to have been posted on or before 6:00 p.m., August 29, 2014.


Gabriela T. Garcia, City Clerk

6:00 pm 8/29/14
Time/Date

**AGENDA
ITEM**

1

Proclamation



Callexico Celebration of "Las Fiestas Patrias, El Grito de Independencia" September 14, 2014

WHEREAS, the Calexico City Council recognizes the important presence and contributions of Mexican Americans to the City of Calexico, Imperial County, the state of California and our nation as a whole; and

WHEREAS, we recognize that the vast majority of Calexico residents have family roots in Mexico and derive their rich heritage and traditions from these roots; and

WHEREAS, these roots have had a profound positive influence in our residents lives by promoting strong commitment to family, faith, hard work, and service; and

WHEREAS, September 16th is the anniversary of the day Miguel Hidalgo y Costilla called upon the people of the town of Dolores with a historic proclamation urging his fellow Mexicans to take up arms and fight for their independence from Spain; and

WHEREAS, citizens of Mexico and those of Mexican heritage throughout the world unite on September 15 to join in commencing the celebration of Mexican Independence Day with civic and festive celebrations to strengthen their unity and cultural pride, culminating with the "Grito de Independencia" at the dawn of September 16.

WHEREAS, in an attempt to promote celebration of Mexican Independence in Calexico that does not compete with celebrations being held in our sister-city of Mexicali, Mexico and throughout Imperial County, the Mexican Consulate has coordinated a celebration on September 14, 2014; and

WHEREAS, by celebrating Mexican Independence day in Calexico on September 14, 2014 families and dignitaries will be afforded an opportunity to attend other celebrations of Mexican Independence Day on September 15, 2014

NOW THEREFORE, BE IT RESOLVED by virtue of the authority vested in me as Mayor, I do hereby proclaim the day of September 14, 2014 as the commencement of "the celebration of Las Fiestas Patrias, El Grito de Independencia" in Calexico, California.

FURTHER, I urge all families to join in this cultural awareness and celebration of heritage and traditions, to enrich our lives and educate and promote understanding among diverse cultures and people.

IN WITNESS WHEREOF, I hereunto affix my signature and Official Seal of the City of Calexico on the 2nd day of September, 2014.

Juan Manuel Moreno, Mayor

**AGENDA
ITEM**

2

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 5TH DAY OF AUGUST, 2014 AT 6:30 P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION

CALL TO ORDER

The Closed Session portion of the agenda was called to order at 5:40 p.m. by Mayor Moreno.

ATTENDANCE

Mayor: John M. Moreno
Mayor Pro Tem: Joong S. Kim
Council Member: Maritza Hurtado
Council Member: Bill Hodge

ABSENT

Council Member: Luis J. Castro
Council Member Castro arrived at 5:45 p.m.

The City Council convened into Closed Session at 5:40 p.m. to; discuss the following:

1. Conference with Labor Negotiators
Agency Representatives: City Manager, City Attorney
Employee Organizations: SEIU/CMEA , SEIU/Water-Wastewater Operators Assoc.; Supervisors Assoc.; Police Officers Assoc.; Fire Fighters Assoc.; and Unrepresented Employees. (Govt. Code section 54957.6)
2. Public Employee Appointment
Title: Permanent City Manager (Govt. Code section 54957)
3. Conference With Legal Counsel – Existing Litigation
Pursuant to Government Code section 54956.9(d)(1) – (1 case)
DFEH Matter No. 124246-53879; EEOC No. 37A-2013-19947-C

City Council reconvened from Closed Session at 6:30 p.m.

REGULAR SESSION-6:30 P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:39 p.m. by Mayor Moreno.

ATTENDANCE

Present: Moreno, Kim Hurtado

Absent: Hodge, Castro

Council Members Hodge and Castro arrived at 6:41 p.m.

PLEDGE OF ALLEGIANCE

Mayor Moreno led those present in the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS.

City Attorney Jennifer Lyon stated for the record that Councilman Castro arrived at 5:45 p.m. before discussion on the item and all Council Members were present in closed session.

Items No.'s 1 and 2 - Ms. Lyon stated items were discussed in closed session. Direction was given, no reportable action taken.

Item No. 3 - Council Members Hodge and Hurtado did not participate due a potential conflict of interest. Direction was given, no reportable Action taken.

APPROVAL OF THE AGENDA.

Motion was made by Councilwoman Hurtado to approve agenda as presented. Councilman Kim seconded for discussion.

Mayor Pro Tem Kim stated he had requested an item on Measure H Bonds with documents necessary to discuss how these funds would be spent. He also stated Council Member Hodge requested an agenda item regarding the hiring of officers from Measure H funds and it too is not on the agenda. He asked who made decision not to place on agenda.

Mayor Moreno stated he did not make the decision on placing items on the agenda and deferred to City Manager Warne. Mr. Warne stated he is working diligently to prepare the 2014-2015 budget which includes an in depth analysis of Measure H funds and are not prepared to present to Council and for this reason it is not on the agenda.

Mayor Pro Tem Kim asked why he could not obtain the documents from City Staff on Measure H Bonds. Mr. Warne stated Mr. Marshall Linn prepared a Memorandum regarding the issuance of the Measure H Bonds which was distributed to the entire City Council. Council Member Kim stated he still does not have any information on the Bond.

Councilman Hodge commented on the positions for the Police Department which he understood would also be on the budget. Mr. Warne advised him the budget will show, from the beginning, how much money has been received, where it has been spent and the balance.

Councilwoman Hurtado called for the question. Call for the question was seconded by Councilman Hodge. Motion passed by the following vote to wit:

AYES: Moreno, Hurtado, Hodge
NOES: Kim Castro
ABSTAIN: None

Vote on motion to approve agenda as presented passed by the following vote to wit:

AYES: Moreno, Hurtado, Hodge, Castro
NOES: Kim
ABSTAIN: None

PRESENTATION BY SHANNON ROBERTS ON HOUSING AUTHORITY ACTIVITIES FOR FISCAL YEAR ENDING JUNE 30, 2014.

Ms. Shannon Roberts, Chairperson for Calexico Housing Authority gave an exit report for the Housing Authority activities for Fiscal Year 2013-2014. Ms. Roberts spoke on several areas of concern with the Housing Authority and suggested that when appointing new members, the recommendations made by HUD were considered. She also made some recommendations of her own when appointing new commissioners. Ms. Roberts submitted her resignation to the Calexico Housing Authority effective immediately.

PROCLAMATION OF THE CITY OF CALEXICO PROCLAIMING THE MONTH OF SEPTEMBER 2014 AS CHILDHOOD CANCER AWARENESS MONTH.

Mayor Moreno read document Proclaiming the Month of September 2014 as Childhood Cancer Awareness Month and presented proclamation to Ms. Sylvia Bernal from the Relay for Life.

**CALEXICO COMMUNITY REDEVELOPMENT
AGENCY SUCCESSOR AGENCY**

APPROVAL OF RESOLUTION OF "RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO AUTHORIZING THE ISSUANCE AND SALE OF TAX ALLOCATION REFUNDING BONDS, AND APPROVING THE FORM OF AN INDENTURE OF TRUST, OFFICIAL STATEMENT, BOND PURCHASE CONTRACT, CONTINUING DISCLOSURE AGREEMENT, 2003A BONDS ESCROW AGREEMENT, 2003C BONDS ESCROW AGREEMENT AND RELATED DOCUMENTS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

Marshall Linn, Urban Futures, Inc. stated that with the ending of Redevelopment Agencies it is possible to refinance the existing bonds to lower the payments. He provided a history of the

2003A and 2003C bonds. The Successor Agency has assumed the responsibility for payment of existing bonds, per AB 1484 legislation that ended Redevelopment Agencies. The bonds can be refunding for the purpose of grading and savings. The process is complex with the caveat that the Successor Agency must submit all documents to the Department of Finance of the State of California which takes about sixty days. Mr. Linn provided detailed description of the bond process. He stated that once this is approved we could sell bonds by November and the City will receive over 500 thousands in savings. Mr. Linn made commented on a needed correction in the resolution the page 2, on the 4th whereas, it talks about \$17 million and should be \$18,500,000 dollars and another change in Section No. 1 where it should also be changed from \$17 million to \$18,500,000 on the Series A and C bonds. Mr. Linn recommended the Council approve the resolution for refunding of the bonds.

Mayor commented that this bond is to reconfigure the bonds for a savings. Mr. Linn explained it was so and it would not extend the time of the bonds.

Mr. Warne stated Council Member Kim asked about issuance cost and a document was provided to the Council on the issuance cost in response to his question.

Mr. Linn explained in detail the bond cost of issuance, the A- bond rating which is considered a very high rating and the process.

Mayor Pro Tem Kim asked about the amount of refinancing. He was informed that it would be \$18.5 million dollars and the cost of issuance is depending on the insurance.

Mayor Pro Tem Kim asked about the interest rate for the bonds. Mr. Linn explained the various rates on the bonds for both Bond A and C series. He further stated the City is receiving extremely good rates.

Mayor Pro Tem Kim asked if the City will be pulling out cash from the refinancing. Mr. Linn advised there will be no money taken out. The various agencies will be provided their share and the City will receive the savings of over \$ 500,000.

Mayor Pro Tem Kim asked the City Manager for proof that the City has been for a better price on the bond process. Mr. Warne stated there is a comparative process. Mr. Linn explained the process of comparative bonds and bidding of the bonds. He stated that Staff and advisors work on the best possible day to sell the bonds. He stated that it is cheaper to issue on a negotiated basis as opposed to the competitive basis which ensures the best possible rates.

Mayor Pro Tem Kim asked if the Council will get final approval with interest rates. Mr. Linn explained final approval will not come to Council, next the Oversight Board will approve then the Department of Finance will approve and will go out on a competitive basis so the City is about sixty to seventy five days away from getting a price and in November due to election interest rates generally stay low. Mr. Linn stated their role is to get the City the best rate and savings.

Motion was made by Council Member Hurtado for approval of the revised resolution presented to the Council. Motion was seconded by Council Member Hodge and passed by the following vote to wit:

AYES: Moreno, Hurtado, Hodge
NOTES: Kim, Castro
ABSENT: None

PUBLIC COMMENTS:

Ben Horton commended the City Council on selecting Richard Warne for the team of success and for bringing in a person who has character and moral fortitude. He stated he liked the way the agenda was put together, the way the meeting is running and the structure being brought to the City.

Alberto Chavira, a Calexico resident, spoke about the many problems he has had with the new mobile home that was provided by the City through the Housing Department. His home was replaced after it was destroyed in the 2010 earthquake. He requested assistance from the Council to resolve his problems. City Manager stated he would meet with Mr. Chavira and assist him with his problem.

Mayor Pro Tem Kim asked if his home was Housing Authority and he was advised it was not. Mr. Nick Servin stated he was instructed by City Manager to assist him. Councilman Hodge stated he and Councilman Castro would follow up with Mr. Servin on the progress of the meeting.

CITY COUNCIL COMMENTS

Mayor Pro Tem Kim stated he was not satisfied to be without information requested on the bonds issued.

Councilman Hodge advised ICTC moving forward on the survey and information coming in on the transit center is going well.

Councilwoman Hurtado reported on her attendance at the National Consul of the Raza Annual Conference. She was invited to attend and as an immigration consultant and stated it was great to see Latinos motivated and charged to defend their communities and empower them.

Mayor Moreno thanked Ms. Sandra Tauler on the reception for Arts in Public Places at 2nd and Imperial Avenue and advised there will be another project on David Navarro and Hwy 98. Mayor requested a status on the drought restrictions. Mr. Nick Servin provided information on the requirements for savings of 173 million gallons per day and advised that the City is currently under at approximately 150 million gallons per day. Ms. Lyon, City Attorney advised there would be an agenda item on the matter at the next meeting.

Councilman Hodge requested the parks continue to be watered. Mr. Fenley advised that the fields were re-seeded and fertilized and this is why the watering of the parks during the day. Mayor expressed concern over the homes at the 900 block of Rockwood and 400 block of Washington and requested information on these homes.

CONSENT AGENDA

Councilwoman Hurtado requested to pull Item No. 5 - Approval for Out-of State Travel for Two (2) Police Officers to attend the Upcoming Spillman Technologies 2014 Users' Conference to be held in Salt Lake City, Utah for discussion.

Councilman Hodge requested to pull Item No. 7 - Approval of a Resolution of the City Council of the City of Calexico, in its Capacity as Legislative Body to the City of Calexico Community Facilities District No. 2003-1 (Bravo-Rodiles) Authorizing the Levy of Special Taxes Within Such District for Fiscal Year 2014-15 for discussion.

Councilwoman Hurtado made a motion to approve the Consent Agenda consisting of the following Items: Item No. 4 - City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Special Meetings of June 24, 2014, and Regular Meeting of July 15, 2014, June 4, 2014, May 20, 2014, May 6, 2014, April 15, 2014; Item No. 6 - Approval of Affidavit of Warrants for June 2014. Motion was seconded by Councilman Hodge and passed unanimously.

ITEM NO. 5 - APPROVAL FOR OUT-OF STATE TRAVEL FOR TWO (2) POLICE OFFICERS TO ATTEND THE UPCOMING SPILLMAN TECHNOLOGIES 2014 USERS' CONFERENCE TO BE HELD IN SALT LAKE CITY, UTAH.

Sergeant Legaspi explained Spillman Technologies is software for dispatch and multi-agencies to go online and helps track what is going on at the moment and has been around for thirty years. The officers will be trained on the use of this and they will manage Spillman.

Councilman Hodge stated that in San Diego the officers carry a recorder and video on their uniform. Sergeant Legaspi stated one of the officers is testing this software out on the field.

Mayor Pro Tem Kim asked where this training is being paid from. He was informed it was from the training fund which is General Fund.

Motion was made by Councilwoman Hurtado, seconded by Councilman Hodge and passed unanimously.

ITEM NO. 7 – APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, IN ITS CAPACITY AS LEGISLATIVE BODY TO THE CITY OF CALEXICO COMMUNITY FACILITIES DISTRICT NO. 2003-1 (BRAVO-RODILES) AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN SUCH DISTRICT FOR FISCAL YEAR 2014-15.

Councilman Hodge asked if this is an annual happening. Mr. Quinn advised this is an annual engineering study done to evaluate whether they have to raise the levy of the CFD or leave it alone and are only allowed to go up 2%.

Councilman Hodge asked what the residents receive for this tax. Mr. Quinn explained they get maintenance of services medians and common areas.

Motion made by Councilman Hurtado, seconded by Hodge for discussion.

Mayor Pro Tem Kim stated this property tax is separate tax from the regular property tax which is unfair for the areas because they are paying twice and felt strongly that we should not be charging these taxes.

Motion passed by the following vote to wit:

AYES:	Moreno, Hurtado, Hodge
NOES:	Kim, Castro
ABSENT:	None

ITEM NO. 9 – STREETS DEPARTMENT AND PARKS DEPARTMENT PROGRAMS.

Councilwoman Hurtado commented on a letter received regarding parks asked if the sub-committee made up of Councilman Castro and herself would continue and requested that the sub-committee could be informed and made aware of park happenings.

Mayor Moreno stated it is permanent to have a sub-committee. Mr. Warne stated he will schedule a parks sub-committee meeting to inform everyone on the work being carried out.

Mr. Kim expressed his concern over the questions being asked about his request for information regarding the parks. Councilman Hodge stated sub-committees need to be respected and when the staff is reporting they need to include the sub-committee.

Councilman Hodge complemented staff on the five year program projects and stated he is very pleased with the program plan.

Mayor Pro Tem Kim stated that Cole Road was starting over a month ago it has not started. Mr. Servin stated they had delay with an encroachment permit from Caltrans however staff has worked on starting the project and they have begun with the project. Councilman Kim requested that they start as soon as possible to repair the potholes also requested work on restrooms as they are in bad conditions.

ITEM NO. 10 – STATUS REPORT ON THE WASTEWATER FACILITIES AND AN ASSESSMENT PLAN UPDATE.

Mr. Nick Servin provided a status report on the Wastewater Facilities and Assessment Plan and advised he received a letter from the inspector and due to the City making progress they have talked to California Air Resources Board (CARB) about possibly removing the permit. He stated the City has exceeded the Air Pollution Control District's expectations by starting to operate the plant on May first and they are working with the City on this matter.

Mr. Warne explained Carrollo Engineers was out and conducted the assessment on whether to repair, improve or start a new plant. They are preparing an engineering analysis which will be provided to the Council.

Mayor Pro Tem Kim stated he believed the City has wastewater running out to the new river and it smells and asked if this could be covered up. Mr. Servin stated the wastewater going into the New River is treated prior to going into the river. He further explained that the river even though it runs through Calexico is not our river and is governed by other government agencies. He further stated the New River committee is working to try to cover it and try to make it a better place.

FUTURE AGENDA ITEMS

Mayor Moreno stated he would forego any future agenda items for September 2014 meeting due to need to focus on the City Budget.

Councilman Hodge requested an agenda item for closed session on the performance evaluation of the Interim City Manager for August 19, 2014.

ADJOURNMENT

There being no further business, meeting adjourned at 7:54 pm

John M. Moreno, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 19TH DAY OF AUGUST, 2014 AT 6:30 P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION

CALL TO ORDER

The Closed Session portion of the agenda was called to order at 5:34 p.m. by Mayor Moreno.

ATTENDANCE

Mayor: John M. Moreno
Mayor Pro Tem: Joong S. Kim
Council Member: Maritza Hurtado

ABSENT

Council Member: Luis J. Castro
Council Member: Bill Hodge

The City Council convened into Closed Session at 5:35 p.m. to discuss the following:

Council Members Kim and Castro arrived at 5:36 p.m.

City Council reconvened from Closed Session at 6:10 p.m.

REGULAR SESSION-6:30 P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:31 p.m. by Mayor Moreno.

ATTENDANCE

(All Council members were present: Moreno, Kim, Castro, Hurtado, Hodge)

PLEDGE OF ALLEGIANCE

Mayor Moreno led those present in the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENTS.

City Attorney Jennifer Lyon stated item in closed session was discussed. Direction was given, no reportable action taken.

APPROVAL OF THE AGENDA.

Motion was made by Councilwoman Hurtado to approve agenda as presented. Councilman Hodge seconded for discussion.

Mayor Pro Tem Kim stated it was the second time he requested the Measure H Bond item and it was not on the agenda. He asked who had the authority to not place on the agenda.

Mayor Moreno advised him that at the past meeting he had requested to forego future agenda items. He stated he Measure H would be addressed with the budget workshop. After discussion between the council regarding agenda items, Councilwoman Hurtado called for the question. Call for the question was seconded by Councilman Hodge and council took the following vote:

AYES:	Moreno, Hurtado, Hodge
NOES:	Kim Castro
ABSTAIN:	None

Motion on call for the question passed.

Vote on approval of agenda was as follows:

AYES:	Moreno, Hurtado, Hodge
NOES:	Kim Castro
ABSTAIN:	None

Motion on approval of Agenda passed.

CITY OF CALEXICO PROCLAMATION FOR THE MONTH OF SEPTEMBER 2014 AS ADULT LITERACY AWARENESS MONTH.

Mayor Moreno read document Proclaiming the Month of September 2014 as Adult Literacy Awareness Month and presented proclamation to Ms. Sandra Tauler, Director of Community Services.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Catherine Hickey, resident of Calexico stated she heard that Councilwoman Hurtado raised funds for Woman's Cancer Program being sponsored in Brawley and had given a Tax ID number which did not exist and money was not sent to the charity.

Councilwoman Hurtado called for Point of Order stating the comments were slanderous.

Ms. Lyon stated members of the public can speak on issues within the City's jurisdiction and should be given their three minutes to speak on matters of public concern.

Ms. Hickey further stated she understood the Calexico Police Department had an open file for this potential criminal activity. She questioned why Councilwoman Hurtado had not been arrested and whether she had used her position to intimidate the police department into not filing charges. She further stated that if the Police Department has a file than the Chief of Police should treat her like any other person. Ms. Hickey stated her opinion that the Chief of Police had been intimidated and the City Council should assure him he should not have any problems pursuing this case.

Councilwoman Hurtado again called for Point of Order stating the comments were slanderous.

Ms. Lyon stated Ms. Hickey should be given her three minutes.

Councilwoman Hurtado stated Ms. Hickey's statements were untrue statements and advised her she could provide her any documents for review as she had no reason to withhold the information.

Benjamin Horton stated he wanted to talk about Calexico. He stated the daily there are articles in the IV Press or the television bringing up Calexico and Calexico needs to put a stop to this. He further stated the people of Calexico elected the Council and the Council is a mirror for Calexico and he felt Calexico is better than what is being represented. Mr. Horton asked the people to speak with their representatives. He praised City Manager and City Staff.

CITY COUNCIL COMMENTS:

Mayor Pro Tem Kim spoke regarding the items he had requested for the agenda and were not placed on agenda. He stated he wants to place items on the agenda to discuss with the public and not just in the workshop. He also questioned why Commissions do not have meetings and why Planning Commission does not have meetings. He asked when the position for the Housing Authority left vacant with Ms. Shannon Robert's resignation was not being advertised. He further questioned how the City can question the police department overtime when the impact fees for Gran Plaza are not being collected. He stated the community deserves better services and they have to be made aware, more involved and asked the citizens to speak to their representatives to make better decisions for the community.

Councilman Hodge stated his concern about the timing of the Police investigation and whether the findings being determined right before election time are going to highly suspicious. He further stated he wanted to go on the record that he is worried about this matter and save any criticism along those lines. He further stated maybe the determinations could be made after the general election so as to not be accused of political mechanizations. Councilman Hodge also spoke about the overtime for the Police Department and stated that Administration needs to take part of the fault because the Police Department did not get the officers from Measure H funds and from the COP Grant.

Councilwoman Hurtado stated she has been working with City Manager and very pleased and impressed with Mr. Warne's services so far, especially the budget under the circumstances. She commented on the two evaluations of the City Manager and the City has had three City Managers in the past 35 days. She stated Mr. Warne will work to get the city straight within his six months and the Council as leaders need to make the hard decisions. Ms. Hurtado stated her

support for City Manager Warne and commended him for his work. She further explained the document is not only a budget report but it includes information the Council can use as tools.

Councilman Castro stated it is not interfering when the Council has the right to ask and receive answers from Administration. He stated that when he first met with the City Manager, he asked him what he knew about the budget and he Mr. Warne advised him that when he approached John Quinn, Finance Director, Mr. Quinn advised him he did not do anything related to the budget. Mr. Warne advised Councilman Castro that at the next council meeting he would receive the budget. Two meetings passed on August 5th and 19th and to date no budget has been presented which he considered lack of administration. He stated Mr. Warne was not being professional and he was playing with the Council. He stated the Council is serious; they represent the people and want transparency.

Councilwoman Hurtado stated Mr. Warne has been here only for 35 days and should be given an opportunity.

Mayor Moreno thanked Nick Servin and staff on streets and congratulated them on Cole Road which is looking outstanding. He welcomed the students back to school. He stated items requested will be discussed when budget is complete and stated the requests will have answers with the budget workshop. He requested that Council Members practice not being critical of staff in public. He invited the Council Members to set up an appointment to review budget.

City Manager Warne stated he wanted to ensure the Council and the public he has been working diligently on the budget and wanted to present a budget that is properly done. He stated that the budget is about making choices and hearing from the public and council. The environment we are working on is challenging and stated the need to close the gap of \$1.2 million.

Councilwoman Hurtado advised that the Council had received a petition from 39 employees in support of the City Manager.

CONSENT CALENDAR

Motion made by Councilman Hodge to approve the consent agenda consisting of the following: City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meeting of April 1, 2014, February 25, 2014 and special meetings of May 15, 2014, and July 10, 2014; Affidavit of Warrants for July 2014. Motion was seconded by Councilwoman Hurtado and passed unanimously.

PUBLIC HEARING TO REVIEW ANNUAL GENERAL PERFORMANCE REPORTS FOR THE FISCAL YEAR 2013/2014 AND APPROVE RESOLUTION OF THE CITY OF CALEXICO AUTHORIZING THE DISENCUMBRANCE OF GRANT NO. 10-STBG-6702 TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Mrs. Teri Nava, Housing Manager provided a detailed report on the Community Block Grant Programs and discussed in detail the annual general performance of all current housing grants and funding sources and the resolution for disencumbrance of funds. She explained Housing

Rehabilitation grant 10-STBG-6702 had to be disencumbered due to not being to expend all funds in program income and a resolution is presented to disencumber the funds. She thanked the housing staff and administration for their support and reported the housing expended close to 9 million dollars in housing programs.

Councilman Hodge asked how much funding was received for the First Time Homebuyer Program. He was advised by Mrs. Ms. Nava that the program received \$ 600,000 which was expended 100%.

Mayor Pro Tem Kim requested a balance sheet on the grant funding be provided to him.

Councilman Castro advised that residents of the De Anza Apartments are complaining about them and would like to know who monitors them. Mrs. Nava explained the apartments are owned by Chelsea and the City inspects and monitors once a year and this year's monitoring was passed by the State.

Councilwoman Hurtado asked for the name of the 48 new units. She was informed the new complex is Villa Primavera.

Public Hearing opened at 7:23 p.m.

Persons in favor:

Mr. Israel Cruz spoke in support citizens of Calexico through the Neighborhood House Micro Business Service Center. He stated the program helps them to start a new business or those who already have a business are helped them to expand or keep their business. He stated the program provides business training, workshops, creation of websites and business consultations which are free and open the community. He provided statistics on the progress of the program and stated the program is working and there are results. He thanked the City of Calexico for their support and for trusting the Calexico Neighborhood House with this program.

Mrs. Irma Carrillo spoke in favor of the CDBG Programs. She stated she has a small business in Calexico and came to state she is very grateful for the help and for the course which trained her to build her business. This course has opened doors and the instructors are very helpful. She stated the program is a blessing and thank all who have made this possible for the small business owners.

Daniel Fitzgerald spoke in favor of the CDBG program and presented the 2013 microenterprise assistance program services year-end report. Thanked the City of Calexico for their support. He provided an overview for the course and for preparing business plans. He reported there were sixty graduates, six Calexico business owners sought counseling from the SBDC, they provided technical assistance course, and sixty-one attendees were eligible to participate in the Façade Improvement Loan Program.

There were no speakers in opposition to the programs presented.

Public Hearing closed at 7:35 p.m.

Councilwoman Hurtado thanked Mrs. Carrillo for her enthusiasm and motivation, congratulated her and wished her Luck with her business.

Councilman Hodge congratulated the programs for their service and expressed his strong support for small businesses.

Mayor stated this is a backbone for any community to have this entrepreneurship and hoped it extended to the downtown area.

Motion was made by Councilwoman Hurtado to approve Resolution of the City of Calexico Authorizing the Disencumbrance of Grant No. 10-Stbg-6702 to the State Department of Housing and Community Development Community Development Block Grant Program. Motion was seconded by Councilman Hodge for discussion.

Mayor Pro Tem Kim stated this is not only good for educating and motivating, he believed there are so many challenges and records state that most businesses in three years are disbursed. He suggested that the program continue to keep contact to assist the businesses for three to five years until they can stand alone.

Castro congratulated the programs and again stated his concern for Hotel De Anza residents.

Motion passed unanimously.

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH A PROFESSIONAL RECRUITING FIRM TO RECRUIT A PERMANENT CITY MANAGER.

Jennifer Lyon stated proposals were requested from recruiting firms throughout the State and four submitted proposals with costs and council has the discretion to choose a firm since the Council is not bound to pick the low bidder since it is a professional services agreement.

Motion by Councilman Hodge to approve Resolution to approve a Professional Services Agreement with a Professional Recruiting Firm to Recruit a Permanent City Manager with selection of the firm of Bob Murray and Associates for a total cost of \$ 24,000. Motion was made by Councilman Castro for discussion.

Norma Aguilar, 839 Heber Avenue, speaking in opposition to this agreement for the purpose that you have a City Manager already and it is the council's position to serve as policy makers and allow the professional staff to do their job and manage. She asked the Council let staff do their job.

Councilwoman Hurtado requested consideration of not making additional expenses and stated there are thirty nine signatures from staff support the administration and entertain thought of not hiring a firm.

Mayor Pro Tem Kim stated the position is open and it is an open process and all can apply. He further stated the process is the best service for our community and recommended hiring an outside firm to recruit a City Manager.

Councilman Hodge stated City Manager Warne could apply and would certainly be considered.

Nick Servin, Public Works Director spoke in favor of City Manager Warne and stated he appreciates the efforts and time Mr. Warne gives the City and this would save the citizens \$ 24,000.

John Quinn, Finance Director stated he is familiar with all recruiting firms and they are all terrible. He asked why the City cannot wait until after the election and why the City cannot keep Mr. Warne since he has great deal of knowledge and can bring a lot to the City and he should be given the chance.

Mr. Ben Horton spoke in favor of City Manager Warne shows us a different perspective and his performance is speaking for him and asked Council to listen to it.

Mayor Moreno agreed with staff on not going out and searching at this time and to continue working with Mr. Warne. He stated the City Manager needs to be given a chance to continue to work with the City. He further stated he would not support this item on the agenda.

Councilwoman Hurtado stated she would not support the search and wanted stability and glad the staff has spoken in support and the City is in a financial crisis.

Councilman Hodge spoke in support of the process and open to other possibilities.

Mayor Pro Tem Kim stated he was glad that Ms. Hurtado mentions the financial crisis which he has been talking about since last year. He stated the City should go with the process to try to serve the community.

Mayor Moreno stated he is looking for stability and it is not in the best interest of the City to change administration and asked to wait until after the election or a year from now to do a search and give Mr. Warne the time to prove himself.

Mayor Pro Tem Kim called for the question. Call for the question was seconded by Councilman Castro and passed unanimously.

Motion to approve Resolution to approve a Professional Services Agreement with a Professional Recruiting Firm to Recruit a Permanent City Manager passed by the following to wit:

AYES: Kim, Castro, Hodge
NOES: Moreno, Hurtado
ABSENT: None

CONSIDERATION OF URGENCY ORDINANCE, REGULAR ORDINANCE AND RESOLUTION TO APPROVE LOCAL RESTRICTIONS ON OUTDOOR USE OF WATER PURSUANT TO STATEWIDE DROUGHT CONDITIONS

Nick Servin reported that governor has executed a mandate to conserve water up a 20% decrease from last year's uses. He advised the use around the state is at 220 per capita per day and state

wants to target 172 per capita per day. The City of Calexico is at 140 per capita per day so we are doing well. Mr. Servin provided the proposed regulations that apply only to the City of Calexico water department customers through the urgency ordinance, the regular ordinance and resolution which include up to a \$500 fine. Restrictions on watering of lawns and monumental He stated that properties located north of Highway 98 shall water on Tuesdays, Thursdays, and Saturdays only. Properties located south of Highway 98 shall water on Mondays, Wednesdays, and Fridays only. He also provided the rules, restrictions and the cost for violations. He further asked that residents water after 6 pm and before 9 am. Map and restrictions will be on the City's website which will also provide links to other websites for tips on reduction of water use.

Mayor Moreno asked who would be in charge or enforcing the new City Code. He was informed that it would be a combination of Code Enforcement, Public Works and Building Departments. He also asked if the City had looked at the grounds to make them drought tolerant landscaping.

Councilwoman Hurtado asked have we ever had any info on replacement programs. She stated there is a State program that pays replace the lawns. Nick, will try to obtain grants to assist the City and citizens. Requested that when the public is notified that a Spanish language newspaper to inform the public and also include in the water bills.

Mayor Pro Kim pointed out the City is already under the state limits and we do not have to go to desert landscaping and for the future also commented on state possibly regulating underground water and here is a movement for underground water and asked for information on this movement.

Motion by Councilman Hodge to approve urgency ordinance by title only and waive further reading. Motion was seconded by Mayor Pro Tem Kim. Ms. Lyon read the Ordinance by title only. Motion passed unanimously.

Motion was made by Councilman Hodge to approve the introduction of regular ordinance by title only. Motion was seconded by Mayor Pro Tem Kim. Ms. Lyon read the Ordinance by title only. Motion passed unanimously.

Motion was made by Councilman Hodge and seconded by Councilwoman Hurtado to approve Resolution to Approve Local Restrictions on Outdoor use of Water Pursuant to Statewide Drought Conditions. Motion passed unanimously.

FIRST TRANSIT, INC., CONTRACT EXTENSION.

Nick Servin, Public Works Director/City Engineer stated that in 2008 the City Council adopted to have Imperial Valley Transit (IVT) be hired to provide the City with dial a ride transit services. The contract has become due and will terminate on August 31, 2014. In January, the other cities in the valley and Calexico have been working to consolidate the competition to obtain the best pricing for the community. There were fourteen companies interested and five applied and were interviewed. Due to delays and timing to get someone on board, we will be short one month. He requested that the contract be extended for one month to complete the process and maintain transit services for the public.

Mayor Pro Tem Kim asked how many years the new contract was for. Mr. Servin advised it could be for a three to five years. Nick stated that during bidding process the lowest bidder came in at 9% below our estimates and so received a pretty good price. Mr. Kim spoke about monopolies.

Councilwoman Hurtado called for the question. Call for the question seconded by Mayor Moreno. Motion passed by the following vote to wit:

AYES: Moreno, Hurtado, Hodge
NOES: Kim, Castro
ABSENT: None

Motion was made by Councilwoman Hurtado to extend Contract for First Transit Extension by 30 days. Motion seconded by Councilman Hodge and passed by the following vote to wit:

AYES: Moreno, Hurtado, Hodge
NOES: Kim, Castro
ABSENT: None

DISTRIBUTION AND PRESENTATION OF PROPOSED FY2014-2015 BUDGET.

Councilwoman Hurtado suggested separating the presentation of this budget in a separate workshop style and having the City Manager inform the Council when they are ready to meet.

Mayor suggested having an introductory meeting on August 26, 2014 to discuss the budget and have the actual workshop on September 2, 2014. City Manager stated he could have the budget by August 26, 2014 as an introductory and having several meetings to discuss the various topics on the budget.

Consensus of the Council was to have a special meeting on August 26, 2014 followed by meeting on September 2, 2014 and if need be the September 9, 2014 to discuss the budget.

INFORMATIONAL ITEMS

City Council acknowledged receipt of Item No. 9, Payroll Overtime Report for the month of June 2014 and Item No. 10, Payroll Overtime Report for the month of July 2014.

ITEM NO. 11 – WASTEWATER FACILITIES AND ASSESSMENT PLANT UPDATES.

Mayor Pro Tem Kim asked if there is still some process ongoing. Mr. Servin stated ACPD is fairly happy and we are working on mitigations and variance was lifted last week, we working on compliance of the boiler, we received bids and about to implement the purchase of the boiler and once we have a new boiler, filtration system and the flair unit running, ACPD will be happy.

Mayor Pro Tem Kim asked how soon this will be finished. Mr. Servin stated APCD does not have us on a timeline and are waiting for the budget to be approved to purchase the equipment

and will take a couple of months to get the contract and fabricate the equipment and deliver it. Mr. Kim stated this is emergency item and asked to move forward.

Councilman Hodge complimented Mr. Servin for his work and for providing more memos, more emails, more transparency and happy for this and for Cole Road.

FUTURE AGENDA ITEMS

Mayor Moreno stated he would forego future agenda items until the budget is done so those items can be talked about at the meeting next Tuesday.

ADJOURNMENT

There being no further business, motion was made by Councilman Hodge, seconded by Councilwoman Hurtado and passed unanimously to adjourn meeting at 8:30 p.m.

John M. Moreno, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 1ST DAY OF OCTOBER, 2013 AT 6:30P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION – 5:30P.M.

CALL TO ORDER

The Special Closed Session portion of the agenda was called to order at 5:30p.m.

ATTENDANCE

Mayor: Bill Hodge
Mayor Pro Tem: John M. Moreno
Councilwoman: Maritza Hurtado
Councilman: Joong S, Kim
Councilman: Luis J. Castro

The City Council convened into Closed Section at 5:30p.m. to discuss the following:

A. CONFERENCE WITH LABOR NEGOTIATORS

Agency Representatives: City Manager, City Attorney
Employee Organizations: SEIU/CMEA; SEIU/Water-Wastewater Operators Assoc.; Supervisors Assoc.; Police Officers Assoc.; Fire Fighters Assoc.; and Unrepresented Employees.

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

Jennifer Lyon, City Attorney reported that the City Council meet in closed session and discussed Item A and B direction was given. No reportable action.

REGULAR SESSION – 6:30P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:33p.m. by Mayor Hodge.

PLEDGE OF ALLEGIANCE

John Renison, Imperial County Board Supervisor led those present in the Pledge of Allegiance

ATTENDANCE

(All Council members were present: Hodge, Moreno, Hurtado, Kim, Castro)

APPROVAL OF AGENDA

Mayor Hodge requested that Item No. 9 be moved before consent agenda.

Motion was made by Mayor Pro Tem Moreno to approve the agenda with Mayor Hodge request to move Item No. 9 before consent agenda, seconded by Councilwoman Hurtado and passed by the following vote to wit:

AYES:	Hodge, Moreno, Hurtado, Castro
NOES:	Kim
ABSENT:	None
ABSTAIN:	None

ANNOUNCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

Victor Legaspi, Police Sergeant invited the City Council and those present to the Calexico Talent Extravaganza that will be held on October 15, 2013 at 5:00p.m in the San Juan Diego Parish Hall. It will be a \$20.00 ticket donation.

Socorro Juarez, 928 Brandenburg, stated that she has been a resident of Calexico for 45 years and feels very disappointed because there is a Council Member that is suing the City. She requested that Councilman Castro be left alone so he can do his job right.

Julietta Olmeda expressed her concern over hearing false allegations against Councilman Castro in radio and newspaper. She stated that his family is well respected in the community and he is known to be honest, transparent and hard working.

Ben Horton provided a brief description of good character. He stated that the situation that took place at the Council Chambers several days ago did happen. He continued stating that the act was bad but the cover up was even worse. A simple apology would have worked. Mr. Horton stated that Councilman Castro was not truthful about the situation and for that reason he should resign.

Estela Castaneda expressed her concern over the false allegations against Councilman Castro and is against him being removed from the City Council.

Maribel Padilla, AC Nogales, stated that she was present at the last City Council meeting and saw the altercation but did not hear what was said. She stated that the altercation happened after the meeting was adjourned; therefore, there are neither minutes nor video.

Karla Flores, 602 Emilia Drive, addressed several concerns over Councilman Castro actions and decisions that according to the Citizens of Calexico for a Transparent Government have benefited his self interest and not the community. Ms. Flores demanded the immediate resignation of Councilman Castro from the City Council.

Diana Nuricombo, 1068 Via Barranca, addressed several concerns over Councilman Castro actions and decisions that according to the Citizens of Calexico for a Transparent Government have benefited his self interest and not the community. Ms. Nuricombo demanded the immediate resignation of Councilman Castro from the City Council.

Raul Urenia, Calexico High School Student, stated that his is very skeptical of the allegations against Councilman Castro. He believes everyone is innocent until proven guilty. The goal is to find the truth and take away all the politics and focus on the issue.

David Castro stated he is the nephew of Councilman Castro and that the issue between Councilman Castro and his former stepfather should be played out in court because it is a personal issue and not in the Council Chambers. He requested that the City Council stop with the animosity and personal attacks.

Daniel Romero, 800 Holdridge, said that in various occasions he has stated that Councilman Castro has conflict of interest pertaining to buses. Mr. Romero stated the Councilman Castro should step down not only for his alleged racial slur but also because of ongoing transportation issues that concern his family.

John Romo stated that he has respect for Council Members because they are elected officials. Many people have said to stop fighting and get it together because people are tired of the bickering. Mr. Romo stated that he has been monitoring City Council meetings and informed Mayor Hodge that he violated the Brown Act by removing Mr. Cuevas from the Police Commission without placing it on the agenda as Councilwoman Hurtado did for her commissioner.

Mariin Thomas, 653 Olive, El Centro, CA, stated that she is a native and high school graduate of Calexico. She continued to state that as an African American she does not think Councilman Castro is a racist. She has known Councilman Castro family for many years. What is offensive to her is several Council Members are using race to remove him from being a Council Member.

Ben Horton Jr. stated that when he was growing up his father Ben Horton never took care of him but he always honored his dad. When people used racial slurs towards him he uncle Councilman Castro would help him get through those difficult times. He would defend him and advise him how to handle the situation. Mr. Horton Jr. stated that it is not on Councilman Castro language to say those types of words. He knows that there are individuals that don't like him due to the fact that his uncle is Councilman Castro and for him that's ignorance. Mr. Horton Jr. stated that he doesn't believe what his dad said but he won't talk about his dad.

Dr. Mohamed Aciad stated that for the last two (2) years he has seen Calexico as a City of fire, division and hatred. All these issues have become very childish and can probably be discussed in close session. City Council is neglecting the business of the citizens of Calexico. Dr. Aciad said that everyone needs to act like adults and work together for the betterment of the City.

Fred Baeza stated that the City Council should conduct an investigation because one person is lying and a polygraph test can solve this issue. He said that everyone has the right to run for City

Council if you're a citizen of Calexico but he is concerned with their qualifications. Mr. Baeza wonders if there is an ordinance and/or test regarding language because he sometimes doesn't understand what certain Council Members say.

Wallis Philips, President of Imperial Valley National Association of Advancement of Color People said that he has known Councilman Castro for a long time and he has given him words of encouragement through some difficult times.

Abelardo Perez, 371 Ross Road, El Centro, CA, stated that he is the owner of LA Shuttle. Last City Council meeting before his business item was discussed he requested that Councilman Castro abstain from voting because of his conflict of interest. Mr. Perez continued to state that Councilman Castro told him that he didn't have a conflict of interest.

Jeanine Fadillas, 1215 Sterling Avenue, stated that Ben Horton did not deserve to be called what he was called.

Felix Rivera said he was one of the witnesses of the altercation and has a recording. He stated that this issue is a personal issue and should be brought up through court as a legal matter and not before the City Council.

GENERAL COMMENTS BY COUNCIL MEMBERS

Councilwoman Hurtado attended the Desert Girls Softball League season opener and wished them luck. They paid tribute to Chava Guzman who recently passed away and was very involved with the Desert Gala Softball League. Councilman Hurtado reminded everyone about the City of Calexico Farmers Market that will be held on October 6th. She asked Councilman Castro to take into consideration what the people have said during public comments and do the right thing. The City Council was elected not to take care of personal matters but to take care of the issues of the citizens of Calexico.

Councilman Kim thanked Sheriff Loera for attending the City Council meeting. Councilman Kim read a written statement where he stated that he will not be intimidated into silence and expressed his concern for various issues that need to be discussed. For example, impact fees for fire, police and Gran Plaza. Councilman Kim stated that Mayor Hodge plays favoritism and when he speaks out about an item he is silenced. He also stated that Mayor Pro Tem Moreno and Councilwoman Hurtado only care about developers. Councilman Kim stated that he was also a witness and never heard Councilman Castro say a racial slur.

Mayor Pro Tem Moreno informed those present that several weeks ago all five (5) Council Members went to a League of California Cities conference in Sacramento, CA. They attended various workshops that addressed how to deal with certain issues, networked with different agencies and learned to work together. Mayor Pro Tem Moreno stated that in order to move forward the City Council needs to work together. What happened at the last City Council meeting goes against everything they have been taught. Mayor Pro Tem Moreno said hopefully Councilman Castro listens to the community.

Councilman Castro read a written statement where he expressed his concern over the false accusations against him. He stated that he is falsely being accused of having insulted Ben Horton at the last City Council meeting. He never used any slur words to under value Mr. Horton and can be easily proven by reading the minutes of the last City Council meeting. All his life he has respected everyone he has dealt with and everyone that knows him knows that these accusations are false. He stated that his grandmother and nephew are African America. Councilman Castro stated that he respects all the cultures in the world.

Mayor Hodge stated that recently the City Council including himself have made a mockery of City government. The City Council has turned it back on its people, for some reasons they have stopped taking care of the people's business. Mayor Hodge urged the City Council to stop acting out personal difference and dislikes at the Council Chambers and public. As Mayor he wants the City Council meeting to be focused on discussing and executing the business items in a efficient and professional matter. Mayor Hodge wants items on the agenda that reflect the people's needs. No more taking an hour on one agenda item because a Council Member has not done his/her homework. When the City Council comes to the meetings they should know relatively their position on the item and their concerns answered during the briefings. City government should not tolerate any ethical or illegal behavior. Mayor Hodge stated that as mayor he strongly condemns any racial slurs at anyone. He stated that he did not see or hear Councilman Castro use a racial slur. This allegation has been given to the proper authorities. In time these allegations will legally be determined and proper consequences will given out.

Oscar Rodriquez, City Manager informed the City Council and those present that the new date for the opening of Gran Plaza is November 15th. Unfortunately the City is short of staff and has not been able to take care of all the aftermath that the September storm left. City Manager Rodriquez stated that staff is currently in the process of getting price quotes for the removal of trees at various parks and retention basin. The Pool Committee has been working very hard in finding ways to fund this project.

CONSENT

Motion was made by Mayor Pro Tem Moreno, seconded by Councilwoman Hurtado to approve consent agenda consisting of the following: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority minutes for regular meeting of August 20, 2013, special meetings of July 30, 2013 and August 14, 2013; motion passed by the following vote to wit:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 2 – APPROVAL OF CITY OF CALEXICO PERFORMANCE IMPROVEMENT AGREEMENT BETWEEN THE CALIFORNIA JOINT POWERS INSURANCE AUTHORITY AND THE CITY OF CALEXICO

City Manager Rodriguez informed the City Council that Joint Powers Insurance Authority (JPIA) has requested that this item be tabled until November 15, 2013, City Council agenda.

ITEM NO. 3 – CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (JPIA) APPOINTMENTS AND PROCEEDINGS FROM 2005-2009 (REQUESTED BY COUNCILMAN KIM)

City Manager Rodriguez informed the City Council that staff has met with JPIA and have agreed to a plan of action to rectify the issues that JPIA has brought up in the past. Some the issues pertain to policies, procedures, guidelines and reporting of structures within the City. City Manager Rodriguez stated that every Monday he meets with Department Heads to discuss the draft polices and the plan of action to see how the City will be monitoring these polices to reduce the percentage of accidents happening. JPIA has given the City eighteen (18) months to address this issue. City Manager Rodriguez said he doesn't feel they will need all eighteen (18) months to address these issues.

Councilman Kim asked City Manager Rodriguez if the City Council will be getting a list of pending items and there progress. City Manager Rodriguez informed Councilman Kim that they will be provided a list with description and target dates. Councilman Kim asked who attended the last JPIA annual meeting. City Manager Rodriguez informed Councilman Kim that he doesn't recall who attended or if anyone did. Councilman Kim read a written statement in which he stated that Councilwoman Hurtado attend JPIA in Los Angeles, CA on July 28, 2012. He proceeded in stating that since he has been a Council Member Councilwoman Hurtado has not reported anything or provided information until she sued Councilman Kim and the City Council select the new Police Chief. He claims that the information JPIA obtained was provided by Councilwoman Hurtado. Councilwoman Hurtado has appointed two (2) commissioners that have lawsuits in Federal and State Courts. One of her Police Commissioner appointee has written letters to JPIA. Councilman Kim stated that the facts speak from themselves.

Mayor Hodge told Councilman Kim to please stop attacking each other and work together.

Councilwoman Hurtado clarified that JPIA has a yearly meeting she attended two (2) years ago on behalf of Mayor Daniel Romero at that time was a general session. The general session included the appointment of board members and the discussion that JPIA would be watching over the "shenanigans" of cities. Upon her return she informed Former Mayor Romero and City Manager. Councilwoman Hurtado stated that since then she has not been in contact with JPIA since it was not part of her assignment.

Councilman Castro stated that he agrees with Councilman Kim and Councilwoman Hurtado. He stated that the City Council needs to look for solutions instead of criticizing each other.

Mayor Pro Tem Moreno stated that the City Council has already hit the bottom and in order to get out of it they need to work together instead of pointing fingers and blaming each other.

ITEM NO. 4 – APPOINTMENTS BY MAYOR/COUNCIL MEMBERS TO THE FOLLOWING BOARDS/COMMISSIONS: A) COUNCIL MEMBER CASTRO

APPOINTMENT TO THE BUSINESS IMPROVEMENT DISTRICT; B) COUNCIL MEMBER CASTRO APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES

Councilman Castro requested his appointments be placed on the next City Council agenda.

ITEM NO. 5 – CHANGES TO CURRENT CITY AGENDA POLICY (REQUESTED BY COUNCILMAN KIM)

Mayor Pro Tem Moreno asked Councilman Kim if he want the City Clerk to be in charge of placing matters on the agenda instead of the City Manager. Councilman Kim said yes. Mayor Pro Tem Moreno stated that he is totally against that. He believes the City Manager is the administrator of staff and works close together with Department Heads and knows what matters need to be presented to the City Council for review and approval.

Councilman Kim stated the mayor has no power of putting items in the agenda. The mayor has to request the City Manager to put an item in the agenda.

Mayor Pro Tem Moreno asked Councilman Kim if the system that the City currently has is broken. Councilman Kim informed Mayor Pro Tem Moreno that the current system is not working.

Councilman Castro stated that the City Manager should be responsible of placing items on the agenda as well as the mayor and two (2) Council Members.

Councilwoman Hurtado stated that the manner in which items are placed in the agenda is to one (1) single person on their own bog down the agenda or take control of the agenda. Councilwoman Hurtado stated one (1) of the initial issues that JPIA stated in May 21st letter was that there was way too much involvement from the City Council on business that needs to be taken care of by the City Manager. Changing the policy would only cause new problems and invite JPIA to continue overseeing the City.

Mayor Hodge concurs with Councilwoman Hurtado that there needs to be checks and balances. He stated that he is bothered that Councilman Kim wants to shift the majority of the power to the mayor.

Motion was made by Councilwoman Hurtado not to approve the changes to the City Agenda Policy and have them remain as is. Motion seconded by Mayor Pro Tem Moreno and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro
NOES: Kim
ABSENT: None

INFORMATIONAL ITEMS

ITEM NO. 6 – ACKNOWLEDGEMENT OF OVERTIME/JUSTIFICATION REPORT FOR THE MONTH OF AUGUST 2013

City Council acknowledged receipt of overtime/justification report for the month of August 2013

ITEM NO. 7 – ACKNOWLEDGEMENT OF BUSINESS LICENSE DELINQUENT LIST FOR THE MONTH OF JULY 2013

City Council acknowledge receipt of business license delinquent list for the month of July 2013

ITEM NO. 8 – ACKNOWLEDGEMENT OF BUSINESS LICENSE DELINQUENT LIST FOR THE MONTH OF AUGUST 2013

City Council acknowledge receipt of business license delinquent list for the month of August 2013

ITEM NO. 9 – APPROVAL OF CITY COUNCIL OF THE CITY OF CALEXICO IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CALEXICO COMMUNITY REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14B FOR THE PERIOD OF JANUARY THROUGH JUNE 2014 AND APPROVING CERTAIN RELATED ACTIONS

Oscar Rodriquez, City Manager stated that since the elimination of the Redevelopment Agency (RDA) the City has been going through a process in order to complete the actual elimination. As part of the process the City need to ask the State for money off property tax in order to pay for expenditures the City foresees coming up in January 1, 2014 to June 30, 2014. Once the City sells of the properties RDA will no longer exist because there will not be an assets to the agency. City staff is requesting City Council to approve the Recognized Obligation Payment Schedule (ROPS) for the period of January through June 2014.

John Quinn, Finance Director informed the City Council that the Oversight Board has approved the ROPS and have forward all the required documentation to the Department of Finance (DOF). The next step would be that the City Council as the Successor Agency approve the resolution and ROPS. Mr. Quinn stated that the final step would be that the DOF issue a Notice of Completion to start liquidating fixed assets and properties.

Councilwoman Hurtado thanked all members of the Oversight Board for their hard work.

Councilman Kim asked if the City will have several properties to sell to the public after the approval of the ROPS. City Manager Rodriquez said yes to Councilman Kim.

Motion was made by Mayor Pro Tem Moreno to approve a resolution of the City Council of the City of Calexico in its capacity as the Successor Agency to the Calexico Community Redevelopment Agency approving the Recognized Obligation Payment Schedule 13-14B for the period of January through June 2014. Motion seconded by Councilwoman Hurtado and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

FUTURE AGENDA ITEMS

Councilman Castro stated that Jovan Castro about a month ago submitted his application to extend his bus route to Gran Plaza. He would like to request who is the department and/or authority in charge of approving the application.

Councilman Kim stated that on several occasions he has requested a repair plan for parks and streets. He also requested an item of discussion on the swimming pool and a emergency plan between the City of Calexico and Calexico Unified School District for local organizations to use their facilities when retention basins are flood due to rain.

Mayor Pro Tem Moreno requested an update on the feasibility study for public safety building.

Mayor Hodge requested a concrete plan on streets and roads. He also requested employee recognition and retreat.

ADJOURNMENT

There being no further business the meeting adjourned at 8:49p.m.

Bill Hodge, Mayor

Attest:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 19TH DAY OF NOVEMBER, 2013 AT 6:30P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION – 5:30P.M.

CALL TO ORDER

The Special Closed Session portion of the agenda was called to order at 5:30p.m.

ATTENDANCE

Mayor: Bill Hodge
Mayor Pro Tem: John M. Moreno
Councilwoman: Maritza Hurtado
Councilman: Joong S, Kim
Councilman: Luis J. Castro

The City Council convened into Closed Section at 5:30p.m. to discuss the following:

- A. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: City of Calexico v. Calexico 220 E. 2nd Street, LLC, et al., Case No. ECU07368
- B. CONFERENCE WITH LABOR NEGOTIATORS
Agency Representatives: City Manager, City Attorney
Employee Organizations: SEIU/CMEA; SEIU/Water-Wastewater Operators Assoc.;
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

Jennifer Lyon, City Attorney reported that the City Council meet in closed session and discussed Item A, B, and C direction was given. No reportable action.

REGULAR SESSION – 6:30P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:30p.m. by Mayor Hodge.

PLEDGE OF ALLEGIANCE

Nick Servin, Public Works Director/City Engineer led those present in the Pledge of Allegiance

ATTENDANCE

(All Council members were present: Hodge, Moreno, Hurtado, Kim, Castro)

APPROVAL OF AGENDA

Motion was made by Mayor Pro Tem Moreno to approve the agenda seconded by Councilwoman Hurtado and passed by the following vote to wit:

AYES:	Hodge, Moreno, Hurtado, Castro, Kim
NOES:	None
ABSENT:	None
ABSTAIN:	None

PRESENTATION**A. INTRODUCTION OF MEXICAN CONSUL CARLOS FLORES VIZCARRA BY MAYOR HODGE**

Mayor Hodge introduced Mexican Consul Carlos Flores Vizcarra and provided a brief background of his credentials and various accomplishments. Mr. Vizcarra thanked the City Council and provided a description of the missions and goals of the Mexican Consul.

B. PROCLAMATION OF FARM WORKER'S WEEK – DECEMBER 1, 2013 TO DECEMBER 7, 2013

Mayor Hodge read the proclamation for Farm Worker's Week to those present.

ANNOUNCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

Ben Horton stated that there are people saying that Calexico does not need a pool and he totally disagrees. He is going to move forward and help raise money to build a swimming pool as it was done several years ago when the City did not have a pool.

Carmen Estrada, Calexico Parents Athletic League (CPAL) Director invited the City Council and those present to join CPAL on Wednesday, November 20, 2013 at 7:00 p.m. to welcome four (4) 17 year old boys who went to Guadalajara, Mexico to play for Selección Atlas Sub. 17.

Maribel Padilla, AC Nogales, talked about the KYMA story pertaining to officers cheating on sergeant exam.

Angel Esparza, 516 Rockwood, informed the City Council that Mi Calexico team has completed the success, inspiration and motivation issue. In the issue they highlight twenty (20) individuals

from Calexico that have success and inspiration stories that will motivate the youth of Calexico. Mr. Esparza stated that they are also doing a documentary with the interviews they obtained. He requested that the City sponsor their project and in return they will provide the City a full page on their issue and be co-producers on the documentary.

Mayor Hodge and Mayor Pro Tem Moreno gave direction to Oscar Rodriguez, City Manager to meet with Mr. Esparza and discuss the sponsorship.

Ricardo Servin requested that the City Council support the building of the swimming pool.

GENERAL COMMENTS BY COUNCIL MEMBERS

Councilwoman Hurtado congratulated the Gran Plaza Outlet for its successful grand opening. She stated that the grand opening began at 8:30a.m. with the ribbon cutting of the free shuttle services provided by Gran Plaza from downtown Calexico to the Gran Plaza. Councilwoman Hurtado stated that the Farmer's Market will be held on Sunday, December 1, 2013 from 10:00a.m. to 3:00p.m.

Councilman Kim congratulated Mrs. Estrada and CPAL. He stated the City Council nor the Calexico Unified School District let him talk about the pool. Councilman Kim stated that there is money to build a swimming pool. He urges City Council to build a municipal swimming pool so it can be read for June 2014. He stated that there is no need to have a swimming pool in school property. A municipal pool can be built at Crummett Park and will benefit the school and public.

Mayor Pro Tem Moreno thanked City staff, traffic engineers, Police Department, Border Patrol and the shoppers for a wonderful grand opening of the Gran Plaza. In addition, Mayor Pro Tem Moreno stated that on Friday, November 22 marks John F. Kennedy fifty (50) anniversary of when he was shot and assassinated in Dallas, Texas. He mentioned that many people still remember where they were and what they were doing that day. The nation was in mourning and President Kennedy legacy lived on. The City of Calexico honored President Kennedy's legacy by naming Kennedy Garden Subdivision after him. Kennedy Garden Subdivision was developed to house farmer migrant workers where they can have their roots established. Mayor Pro Tem Moreno stated that we should be thankful to the Kennedy's for paying attention to a big part of our community. Mayor Pro Tem Moreno stated that Calexico should continue in honoring the Kennedy's and requested that the flags be flown half mast this Friday.

Mayor Hodge thanked Mayor Pro Tem Moreno for his eloquent and deep felt comment. Mayor Hodge acknowledged November 11th veteran event and stated that it was an honor to be at that event. He proposed a banner be created and put in front of City hall to honor the veterans on Memorial and Veterans Day. Mayor Hodge stated that it was an honor to take the first bus to Gran Plaza with Mayor Pro Tem Moreno, Councilwoman Hurtado, City Manager and staff. He stated that he is extremely happy for the citizens and Gran Plaza is a game changer. He thanked the Police Department and Border Patrol for controlling traffic and doing a great job.

Councilman Castro congratulated Mrs. Estrada and CPAL for the tremendous job they are doing with the kids. He stated that he supports Councilman Kim in building a swimming pool so it can be ready for June 2014.

CONSENT

Councilman Kim pulled Item No. 2 for discussion.

Motion was made by Mayor Pro Tem Moreno, seconded by Councilwoman Hurtado to approve consent agenda consisting of the following: Approval of application for Alcoholic Beverage License for Happy Hour Bar LLC, 337 Paulin Avenue, Suite 1A, Calexico, CA 92231; Approval of Resolution of the City Council of the City of Calexico authorizing the submittal of an application, acceptance of an allocation of funds and execution of grant agreement with California Department of Transportation for an Airport Improvement Program (AIP) Matching Grant; motion passed by the following vote to wit:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 3 – APPROVAL OF CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MINUTES FOR REGULAR MEETING OF SEPTEMBER 17, 2013 AND SPECIAL MEETINGS OF APRIL 16, 2013, SEPTEMBER 9, 2013, SEPTEMBER 5, 2013

Councilman Kim made clarification to page 5 of September 5, 2013. The minutes of September 5, 2013, state that Councilman said he was voting no because he council not see that without the FY 13-14 budget report for \$3.5 million. Councilman Kim requested that \$3.5 million be changed to \$13.5 million. He also requested to table September 17, 2013, minutes to get clarification on page 13 from the Deputy City Clerk.

Motion was made by Councilman Kim to approve the City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority minutes for April 16, 2013, September 9, 2013, September 5, 2013 with changes and table September 17, 2013 minutes. Motion seconded by Mayor Pro Tem Moreno and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 4 – CONSIDERATION TO INTRODUCE AND CONDUCT FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING SECTIONS 5.32.040 AND 5.32.160 OF CHAPTER 5.32 OF THE CALEXICO MUNICIPAL CODE REGARDING THE HOLDING OF BINGO GAMES IN THE CITY

Councilwoman Hurtado asked City Manager Rodriguez which organization and/or individual requested that the City amend its bingo game ordinance.

Mayor Pro Tem Moreno said he asked that this item be placed on the City Council agenda because he was approached by Michael Lowen to expand the hours of operation for bingo games. He believe that changing this ordinance will benefit several organizations in the City. Mayor Pro Tem proposed that the hours of operation be limited to 8:00a.m. to mid-night instead of 24/7. He feels that the senior community may enjoy this type of activity.

Councilman Kim mentioned that State regulations states that only certain organizations like mobile home parks, senior and charitable organizations can have bingo games. Bingo is gambling therefore its State regulated. He stated that he does not support this form of gambling that can become addictive.

Mayor Hodge stated that this ordinance is for non-profit charitable organizations. As long at is regulated properly he does not see it as a problem.

Motion was made by Councilman Kim not to approve an ordinance amending Sections 5.32.040 and 5.32.160 of Chapter 5.32 of the Calexico Municipal Code Regarding the holding of bingo games in the City for twenty-four hours seven days a week. Motion seconded by Councilman Castro and passed by the following:

AYES:	Hodge, Hurtado, Castro, Kim
NOES:	None
ABSENT:	None

Mayor Hodge requested that this item be placed on the next City Council agenda with the modifications made by Mayor Pro Tem Moreno limiting hours of operation from 8:00a.m. to mid-night seven days a week.

ITEM NO. 5 – PURCHASE OF THREE (3) 24 INCH GATE VALVE FROM FERGUSON ENTERPRISE, INC.

Councilman Kim asked if this item went through the bidding process. Mr. Servin stated that this item is an emergency item; therefore, only quotes were requested. Councilman Kim asked what funding will be used to purchase these gate valves. Mr. Servin informed Councilman Kim that enterprise funds will be used to purchase these gate valves.

Motion was made by Mayor Pro Tem Moreno to approve the purchase of three (3) 24 inch gate valve from Ferguson Enterprise, Inc. Motion seconded by Councilwoman Hurtado and passed by the following:

AYES:	Hodge, Moreno, Hurtado, Castro, Kim
NOES:	None
ABSENT:	None

ITEM NO. 6 – REPARATION OF ONE (1) STORM DRAIN MANHOLE AT THE INTERSECTION OF FIRST STREET AND HEBER AVENUE

Motion was made by Mayor Pro Tem Moreno to approve the reparation of one (1) storm drain manhole at the intersection of First Street and Heber Avenue. Motion seconded by Councilwoman Hurtado and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 7 – REHABILITATION AND LINING OF EIGHT (8) SEWER MANHOLES AND FIVE (5) STORM DRAIN MANHOLES ON FIFTH STREET BETWEEN HEBER AVENUE AND IMPERIAL AVENUE

Motion was made by Mayor Pro Tem Moreno to approve the rehabilitation and lining of eight (8) sewer manholes and five (5) storm drain manhole on Fifth Street between Heber Avenue and Imperial Avenue. Motion seconded by Councilman Kim and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 8 – APPOINTMENTS BY MAYOR/COUNCIL MEMBERS TO THE FOLLOWINGS BOARDS/COMMISSIONS: A) COUNCIL MEMBER CASTRO APPOINTMENT TO THE BUSINESS IMPROVEMENT DISTRICT, LIBRARY BOARD OF TRUSTEES AND HISTORICAL COMMISSION; B) COUNCIL MEMBER HURTADO APPOINTMENT TO BUSINESS IMPROVEMENT DISTRICT AND PLANNING COMMISSION

Councilman Castro requested his appointments be placed on the next City Council agenda.

Councilwoman Hurtado appointed Jaime Jimenez to the Business Improvement District and Daniel Romero to Planning Commission subject to the review of eligibility seeing he is a former Council Member.

ITEM NO. 9 AND 16 – APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING THE TRUST AGREEMENT, ASSIGNMENT AGREEMENT, THE LEASE AGREEMENT, PROJECT LEASE AND THE CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE CALEXICO FINANCING AUTHORITY MEASURE “H” SALES TAX/LEASE REVENUE BONDS, ISSUE OF 2013 AND TAKING CERTAIN OTHER ACTIONS IN CONNECTIONS THERETO

City Manager Rodriquez informed the City Council that Measure H Committee is recommending to leverage half of the revenue flow that comes to Measure H and utilize it for bonds in order to

raise funding for capital improvement projects (i.e. fire and police station, parks, swimming pool).

Marshal Linn, Urban Future, Inc. described the process and items that need to be taken to finalize and receive the funding for the capital improvement projects.

Mayor Hodge stated that he was informed that there was a feasibility study done for the upgrade and demolition of the existing fire station. The City direly needs a new fire station and police facility. Mayor Hodge stated that he has been informed that there is another viable alternative to build this facility. Mayor Hodge requested that this item be tabled to the next City Council meeting in order for a presentation to be made to the Measure H Committee from the viable alternative in order for the community to be informed.

Councilwoman Hurtado stated that City Council has a habit of seeking information somewhere else. Staff has put in time and worked on this issue for some time. It seems very irresponsible to put this item on hold and seek alternatives.

City Manager Rodriquez informed City Council that City staff is aware of this alternative but staff did not think it was the best option for the City.

Councilman Kim stated that the duty of the City Council is to serve the community and thanked Mayor Hodge for looking into alternatives.

Pete Mercado, Fire Chief stated that Measure "H" Committee did approve a study to evaluate both the Fire Station and the Police Department building which are forty (40) years old and the conditions are not very good. He recommends that the City Council at least hear what this company has to say. Fire Chief Mercado stated that he does not oppose neither the bond nor the private partnership but want the City Council to make an informed decision.

Motion was made by Mayor Pro Tem Moreno to approve a resolution of the City Council of the City of Calexico approving the trust agreement, assignment agreement, the lease agreement, project lease and the continuing disclosure agreement in connection with the Calexico Financing Authority Measure "H" sales tax/lease revenue bonds, issue of 2013 and taking certain other actions in connections thereto. Motion seconded by Councilwoman Hurtado. Vote was as follows:

AYES:	Moreno, Hurtado
NOES:	Hodge, Castro, Kim
ABSENT:	None

Motion did not pass

Diana Nuricumbo, 1068 Via Barranca, is concerned that if the City Council is going to allow this company to give a presentation they not enter into an exclusive agreement and bid out the project.

Armando Real, 565 Scaroni Road, stated that the City should bid out the project.

Fire Chief Mercado stated that it doesn't matter who builds it, what matter is that it gets built.

German Duran said that there is a concern if this project should be bonded and concurs with Fire Chief Mercado that it doesn't matter who builds it, what matters is that it gets built.

Councilman Castro stated that he hasn't seen how much the interest is and the terms of the bond.

Mayor Hodge gave direction to City Manager Rodriguez to setup a special City Council meeting for the presentation of the alternative.

Mayor Pro Tem Moreno left the Council Chambers at 9:15p.m.

Councilwoman Hurtado left the Council Chambers at 9:16p.m.

INFORMATIONAL ITEMS

ITEM NO. 10 – ACKNOWLEDGEMENT OF JULY 2013 MONTHLY FINANCIAL REPORT

City Council acknowledged receipt of July 2013 monthly financial report

ITEM NO. 11 – ACKNOWLEDGEMENT OF AUGUST 2013 MONTHLY FINANCIAL REPORT

City Council acknowledge receipt of August 2013 monthly financial report

ITEM NO. 12 – ACKNOWLEDGEMENT OF SEPTEMBER 2013 MONTHLY AND QUARTERLY FINANCIAL REPORT

City Council acknowledge receipt of September 2013 monthly and quarterly financial report

ITEM NO. 13 – ACKNOWLEDGEMENT OF BUSINESS LICENSE DELINQUENCY LIST FOR SEPTEMBER 2013

City Council acknowledge receipt of business license delinquency list for September 2013

ITEM NO. 14 – ACKNOWLEDGEMENT OF OVERTIME/JUSTIFICATION REPORT FOR THE MONTH OF OCTOBER 2013

City Council acknowledge receipt of overtime/justification report for the month of October 2013

ITEM NO. 15 – ACKNOWLEDGEMENT OF BUSINESS LICENSE DELIQUENCY LIST FOR OCTOBER 2013

City Council acknowledge receipt of business license delinquency list for October 2013

FUTURE AGENDA ITEMS

Councilman Kim requested an item to build a municipal swimming pool and have all department audited.

Councilman Castro concurred with Councilman Kim's future agenda items.

ADJOURNMENT

There being no further business the meeting adjourned at 9:24p.m.

Attest:

Bill Hodge, Mayor

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL SESSION ON THE 3RD DAY OF DECEMBER, 2013 AT 6:00P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CALL TO ORDER

ATTENDANCE

Mayor: Bill Hodge
Mayor Pro Tem: John M. Moreno
Councilwoman: Maritza Hurtado
Councilman: Joong S, Kim
Councilman: Luis J. Castro

SPECIAL SESSION – 6:08P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:08p.m. by Mayor Hodge.

PLEDGE OF ALLEGIANCE

Ben Horton led those present in the Pledge of Allegiance

ATTENDANCE

(All Council members were present: Hodge, Moreno, Hurtado, Kim, Castro)

APPROVAL OF AGENDA

Motion was made by Mayor Pro Tem Moreno to approve the agenda, seconded by Councilman Castro and passed by the following vote to wit:

AYES: Hodge, Moreno, Hurtado, Castro
NOES: Kim
ABSENT: None
ABSTAIN: None

ANNOUCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

None

BUSINESS ITEM

ITEM NO. 1 – APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING THE TRUST AGREEMENT, ASSIGNMENT AGREEMENT, THE LEASE AGREEMENT, PROJECT LEASE AND THE COMMUNITY DISCLOSURE AGREEMENT IN CONNECTION WITH THE CALEXICO FINANCING AUTHORITY MEASURE “H” SALES TAX/LEASE REVENUE BONDS, ISSUE OF 2013 AND TAKING CERTAIN OTHER ACTIONS IN CONNECTIONS THERETO

Mayor Hodge stated that Councilwoman Hurtado and he requested a public meeting be held next Wednesday, December 11, 2013, to get public input on issuance of the bond.

Councilman Castro stated that this is the third (3rd) revision to the bond. He believes this third (3rd) revision is the correct one. Mayor Hodge assured Councilman Castro that there will no more changes. Next Wednesday meeting will only allow the public to give their input

Councilman Castro stated that there is no backup documentation showing how much the interest rate will be and for how long will the term of the bond be. Marshall Linn, Urban Future, Inc. Financial Advisor informed Councilman Castro that the term for the \$7 million dollar bond will be sixteen (16) years with an estimated rate of 4.935±%.

Mayor Pro Tem Moreno asked why City Council wants to prolong this item another week. Mayor Hodge informed Mayor Pro Tem Moreno that he has previous stated his reason for prolonging this item another week.

Motion was made by Councilwoman Hurtado to approve the revision of this item with the language from the memorandum to be incorporated into the bond documentation. Motion seconded by Mayor Pro Tem Moreno and passed by the following:

AYES: Hodge, Moreno, Hurtado
NOES: Kim, Castro
ABSENT: None

ADJOURNMENT

There being no further business the meeting adjourned at 6:39p.m.

Bill Hodge, Mayor

Attest:

Erica LaCuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 3RD DAY OF DECEMBER, 2013 AT 6:30P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION – 5:30P.M.

CALL TO ORDER

The Special Closed Session portion of the agenda was called to order at 5:30p.m.

ATTENDANCE

Mayor: Bill Hodge
Mayor Pro Tem: John M. Moreno
Councilwoman: Maritza Hurtado
Councilman: Joong S, Kim
Councilman: Luis J. Castro

The City Council convened into Closed Section at 5:30p.m. to discuss the following:

- A. CONFERENCE WITH LABOR NEGOTIATORS
Agency Representatives: City Manager, City Attorney
Employee Organizations: SEIU/CMEA; SEIU/Water-Wastewater Operators Assoc.;
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)(1 case)
Existing facts and circumstances pursuant to GC 54956.9(e)(5)

Jennifer Lyon, City Attorney reported that the City Council meet in closed session and discussed Item A, B, and C direction was given. No reportable action.

REGULAR SESSION – 6:47P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:47p.m. by Mayor Hodge.

PLEDGE OF ALLEGIANCE

Mayor Hodge led those present in the Pledge of Allegiance

ATTENDANCE

(All Council members were present: Hodge, Moreno, Hurtado, Kim, Castro)

APPROVAL OF AGENDA

Oscar Rodriguez, City Manager requested that Item No. 9, 10 and 11 be pulled from agenda.

Motion was made by Mayor Pro Tem Moreno to approve the agenda with changes made by City Manager Rodriguez. Motion seconded by Councilwoman Hurtado and passed by the following vote to wit:

AYES:	Hodge, Moreno, Hurtado, Castro
NOES:	Kim
ABSENT:	None
ABSTAIN:	None

ANNOUNCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

Mark Baza, Imperial County Transportation Commission (ICTC) Executive Director informed the City Council of the Calexico Transportation Hub Feasibility Study that they are currently working on. The goal of this feasibility study is to find a preferred location and the type of facility that will be needed for all the transit providers in Calexico. He mentioned that there will be public outreach in the months of December, February and estimates the study will be completed in September 2014. Upon completion of study ICTC will be seeking funding for the construction of the hub.

Maribel Padilla, 18 Nogales, reminded the City Council that they are held to a high standard for being Council Members. Ms. Padilla requested that Mayor Hodge apologize to her for using profanity as he exited the Council Chambers at the last City Council meeting.

Mayor Hodge apologized for using profanity and stated that he will not use that word again.

PRESENTATION

A. Presentation by City of Calexico/Calexico Unified School District Pool Facilities Committee

City Manager Rodriguez and Raul Martinez, Calexico Unified School District (CUSD) Facilities Director gave a PowerPoint presentation to City Council on the construction of the swimming pool that was damaged by April 4, 2010, earthquake. City Manager Rodriguez informed the City Council that plans have been submitted to the Department of State Architecture (DSA) since the pool will be built in CUSD property where the damaged pool was located. DSA has provided their comments and the City and CUSD are addressing them. The demolition of the existing pool has been completed. Contractor is currently removing debris. Until DSA approves the plans and funding is in place a time schedule will be developed. The project is broken down into three (3)

phases. Phase I consists of demolition and construction of pool and shower/lockers. Phase II consists of recreation pool, wading pool and shades. Phase III consists of classrooms and connecting shades. The estimated completion cost of all three (3) phases is \$7,243,240.36. The City will not be funding Phase III. To fund Phase I the City and CUSD are looking into different funding sources: FEMA, School District Bond, Measure "H" Bond. The next step of this project is to establish a joint agreement to move forward with the project between the City and CUSD. The joint agreement will be a Memorandum of Understanding (MOU) that will define each agencies responsibility. Both agencies will be utilizing the facilities for the betterment of the community.

Mayor Pro Tem Moreno asked if the maintenance of the swimming pool will be a sharing cost between both agencies. City Manager Rodriquez stated it will be part of the MOU. During the school year the district take care of the pool maintenance and in summer the City takes care of pool maintenance.

Councilwoman Hurtado stated that there has been a working group in which she has been apart since 2012. This group has been working hard and thanked everyone involved in the subcommittee.

Councilman Kim stated that in the funding source breakdown he does not see the \$1.8 million dollars that RDA gave the school district. He also stated that FEMA was going to give the CUSD \$600,000 to repair the pool and asked if CUSD had already made the repairs seeing that they will only be reimbursed \$400,000. Mr. Martinez stated that FEMA evaluated the damaged on the pool and they will only give CUSD between \$400,000 - \$420,000.

Mayor Hodge said that his only concern is that the City will be able to use the pool more than previous years and be more accessible to the public.

Frank Salazar, Special Assistant to California State Senator Ben Hueso stated that the issue of the pool is dear to his heart. He applaud the subcommittee for all the work that has been done. Mr. Salazar informed the City Council that Senator Hueso want to help Calexico with technical assistance, funding resources, and state meetings to construct a pool for Calexico. Senator Hueso has staff already working on getting a pool for Calexico.

GENERAL COMMENTS BY COUNCIL MEMBERS

Councilman Castro stated the Calexico deserves a swimming pool and it needs to be constructed.

Councilwoman Hurtado congratulated the Calexico Farmers Market team for a very successful Farmers Market on Sunday. The Farmers Market team is accepting volunteers and donation to continue having Farmers Markets.

Councilman Kim thanked Senator Hueso for helping the City constructed a swimming pool. He stated that it is his one (1) year anniversary as Council Members.

Mayor Pro Tem Moreno mentioned that there will be a Farmer Workers Breakfast on Friday, December 6, 2013 and the Calexico Christmas Parade on Saturday, December 14, 2013.

Mayor Hodge stated that he has received several concerns on the intersection of Grant and Cesar Chavez Blvd. He would like to request that a signal light be installed in that intersection. Mayor Hodge stated that he gave direction to Police Chief Pompey Tabarez to move forward with the Calexico Police Athletic League (CPAL). He also thanked Sandra Tauler, Community Services Director and staff for the Adopt-A-Park signs. The Tree Light Ceremony will be Thursday, December 5, 2013 at 5:00p.m.

CONSENT

Motion was made by Mayor Pro Tem Moreno, seconded by Councilwoman Hurtado to approve consent agenda consisting of the following: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority minutes for regular meetings of September 3, 2013; Approval of selection of AE Consulting, Inc. for Professional Engineering Services pursuant to the October 2013 Request for Statement of Interest and Qualification (RFSOQ) for the Calexico International Airport Runway Rehabilitation Project; motion passed by the following vote to wit:

AYES: Hodge, Moreno, Hurtado, Castro, Kim
NOES: None
ABSENT: None

ITEM NO. 3 – ACTION ON CONSIDERATION ON CANCELLATION OF JANUARY 7, 2014, CITY COUNCIL MEETING OR MOVING IT BACK TO JANUARY 14, 2014

Councilman Kim stated that he has two concerns if the January 7, 2014, meeting is canceled. His first concern is that public comments will be eliminated and people will not be able to voice their concerns. His second concern is that City Council will not meet for a whole month. Councilman Kim stated that he would like to meet on January 14, 2014 and January 21, 2014.

Motion was made by Councilwoman Hurtado to cancel January 7, 2014, meeting, have a regular City Council meeting on January 21, 2014 and if there is a need for a special meeting than it will be scheduled. Motion seconded by Mayor Hodge and passed by the following:

AYES: Hodge, Moreno, Hurtado, Castro
NOES: Kim
ABSENT: None

ITEM NO. 4 – CONSIDERATION OF A SISTERHOOD AGREEMENT BETWEEN THE CITY OF TECALITIAN, MEXICO AND THE CITY OF CALEXICO, UNITED STATES OF AMERICA

Mr. Salazar stated that the City of Tecalitlan is Senator Ben Hueso family hometown and it is near and dear to his heart. In addition, Senator Hueso knows a lot of the elected officials and the governor of Jalisco.

Hector Nava informed the City Council that the Counsel of Mexico supports the initiative of a sisterhood agreement between the City of Tecalitlan and the City of Calexico. He informed the City Council that any sisterhood agreement needs to be processed by the minister of foreign affairs in Mexico City. The sisterhood agreement will increase the collaboration of commerce, cultural, exchange of basic industries and business communities.

Mayor Hodge stated that sister cities have been dormant for a while. He stated that the City of Calexico already has one with the City of Mexicali and would like to take a leadership role to resurrect that. Mayor Hodge gave recognition to Councilwoman Hurtado for previously making step to resurrect sister cities. If item is approved he would like that a subcommittee be formed with two (2) Council Members. Mayor Hodge requested to be part of the subcommittee along with Councilwoman Hurtado.

Councilwoman Hurtado stated that all sister cities are positive working relationships.

Motion was made by Councilman Kim to approve the consideration of a sisterhood agreement between the City of Tecalitlan, Mexico and the City of Calexico, United States of America. Motion seconded by Mayor Pro Tem Moreno and passed by the following:

AYES:	Hodge, Moreno, Hurtado, Castro, Kim
NOES:	None
ABSENT:	None

ITEM NO. 5 – CONSIDERATION TO INTRODUCE AND CONDUCT FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING SECTIONS 5.32.040 AND 5.32.160 OF CHAPTER 5.32 OF THE CALEXICO MUNICIPAL CODE REGARDING THE HOLDING OF BINGO GAMES IN THE CITY

City Manager Rodriguez informed to City Council that this item was presented at the last City Council meeting and after discussion an amendment was made to limit bingo from twenty-four hours to 8:00a.m. to mid-night.

Robert Rubio, 1125 Paso Camino Real, stated that he support the change in the bingo game ordinance. He mentioned that he was one of the first persons who brought the bingo game to Calexico for a charity event. At the time the hours of operation and days were very limited. Mr. Rubio stated that there is a company that wants to come down to Calexico and invest money in opening a bingo. This company will create jobs and renovate the old Elks building.

Mayor Pro Tem Moreno stated that Mr. Rubio had excellent reasons why this amendment needs to be approved. He stated that Councilman Kim has previously stated that people were going to become addicted to bingo and make poor choices in their life. Mayor Pro Tem Moreno said that he doesn't think bingo has track record of such. Bingo is enjoyed by many seniors and is

considered to be a pass time. He stated that if Councilman Kim does not approve this ordinance he is not allowing organization to benefit from the monies received. Eight percent (80%) of the monies received goes to charity organizations.

Mayor Hodge said that he concurs with Mayor Pro Tem Moreno. Bingo games will benefit a lot of organizations in Calexico.

Councilman Kim stated that State law considers bingo as a form of gambling; therefore, it should be regulated. Organizations have different forms of raising funds.

Motion was made by Councilman Kim not to approve the consideration to introduce and conduct first reading by title only of an ordinance amending Section 5.32.040 and 5.32.160 of Chapter 5.32 of the Calexico Municipal Code Regarding the holding of bingo games in the City. Motion seconded by Councilwoman Hurtado and passed by the following:

AYES:	Hurtado, Kim, Castro
NOES:	Hodge, Moreno
ABSENT:	None

ITEM NO. 6 – BUILDING A MUNICIPAL SWIMMING POOL FOR THE CITY

Councilman Kim stated that the City have been talking about building a pool for two (2) years and the City is still talking about funding the project. He is recommending that the City build its own pool at Crummet Park without the assistance of the Calexico Unified School District. The City has \$1.8 million of RDA funding, \$1.4 million of Measure “H” bond and \$400,000 from FEMA that can be used for the building of the pool.

Councilwoman Hurtado asked Councilman Kim to clarify his statement of using FEMA funding because she believes that if they City builds its own pool outside school property the City will not receive FEMA funding. Councilman Kim said that he thinks it can be used but the City would need to verify that with FEMA.

Councilman Castro concurred with Councilman Kim statement. He believes that the City can build a municipal pool for a lesser amount and will save the City money. Councilman Castro stated that there is a possibility of getting funding from Senator Hueso which will be another option.

Councilwoman Hurtado stated that it is really important that if there will be discussion on an item, the item have backup documentation that specifies the alternative idea with information, math computation and comparisons because this item has no backup documentation. The subcommittee has a plan and is currently set in place. The effort to redirect the intention of building a municipal swimming pool is not in the best interest of the City because the work is already done.

Mayor Pro Tem Moreno stated that it's been said that the City can't do it by its self and the CUSD feels the same way. If the City and CUSD show a united front Sacramento will be more receptive to provide us resources to construct a swimming pool.

Mayor Hodge informed the City Council that it is important to come to a unanimous agreement as to which way the City would like to build the swimming pool, either with or without the CUSD. He asked City Manager Rodriguez that if the City decided to abandon what has already been done will it take longer to build a pool.

City Manager Rodriguez stated that the plans are already complete and are being reviewed by DSA. He also stated that the cost might be slightly lower because DSA requires certain requirements but whether the City or CUSD constructs the pool, both agencies need to pay the contractor prevailing wage. In addition, if the City decided to build a municipal swimming pool, new plans will need to be drafted and the City would need to look for funding sources because CUSD will not be able to assist us financially.

Maribel Padilla, 18 Nogales, stated that if the City were to build a municipal swimming pool how will it be maintained. The City does not have money to maintain a swimming pool all year round. It would be very upsetting if the City were to break away from the CUSD just because one (1) Council Member does not like them.

Mayor Pro Tem Moreno requested that City Manager Rodriguez contact other cities and request a cost of how much their municipal swimming pool cost to construct and how much it costs to maintain it.

City Council gave direction to City Manager Rodriguez to contact other cities and see if they have a municipal pool, joint agreements with school district, cost of construction and maintenance.

ITEM NO. 7 – ALL DEPARTMENTS BEING INVESTIGATED BY AUDIT

Councilman Kim stated that Councilwoman Hurtado has had a lot of criticism pertaining to the Police Department and other issues pertaining to overtime. He is requesting that each department be audited to address these issues.

Councilwoman Hurtado stated that there was no backup documentation provided for this item. It is impossible to look at this serious item without backup, information and/or supportive documentation.

Councilman Castro stated that the Police Department has received several lawsuits in the past three (3) years. He supports Councilman Kim request for an audit of each department.

Mayor Pro Tem Moreno asked City Manager Rodriguez if the City has and/or he has experienced these types of audits in the past.

City Manager Rodriquez stated that in another agency he worked in there was a management audit. He stated that there are three (3) different types of audit: financial, management and compliance. In the management audit they review the management procedures and techniques that are being used.

Mayor Pro Tem Moreno stated that he rather wait until the City meets with JPIA to see what audits the City needs to do with their recommendation.

Mayor Hodge requested to table this item to an appropriate time. He requested that Councilman Kim and Councilman Castro meet with the City Manager and Finance Director to discuss what kind of audit they are interesting in conducting because there is no back-up documentation.

Motion was made by Mayor Hodge to table this item for clarification, seconded by Councilwoman Hurtado and passed by the following:

AYES: Hodge, Moreno, Hurtado, Kim, Castro
NOES: None
ABSENT: None

ITEM NO. 8 – AUTHORIZE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO SIGN CHANGE ORDER NO. 1 WITH PARKER DESIGN AND CONSTRUCTION, INC. FOR THE REHABILITATION AND COATING OF THE DIGESTER AT THE WASTEWATER TREATMENT PLANT

Motion was made by Mayor Pro Tem Moreno to authorize Public Works Director/City Engineer to sign Change Order No. 1 with Parker Design and Construction, Inc. for the rehabilitation and coating of the digester at the Wastewater Treatment Plant. Motion seconded by Councilwoman Hurtado and passed by the following:

AYES: Hodge, Moreno, Hurtado, Kim
NOES: None
ABSENT: Castro

ITEM NO. 12 – APPOINTMENTS BY MAYOR/COUNCIL MEMBERS TO THE FOLLOWING BOARDS/COMMISSIONS: A) COUNCIL MEMBER CASTRO APPOINTMENT TO THE BUSINESS IMPROVEMENT DISTRICT, LIBRARY BOARD OF TRUSTEES AND HISTORICAL COMMISSION

Councilwoman Hurtado is concerned that Councilman Castro hasn't appointed someone to the commission in the last six (6) months.

Councilman Kim stated that it hasn't been six (6) months but two (2) months.

Councilman Castro appointed Ruben Arellano to the Business Improvement District and carried over the appointments to the Library Board of Trustees and Historical Commission to the next City Council meeting.

ITEM NO. 13 – PUBLIC HEARING TO CONSIDER THE FIRST READING, BY TITLE ONLY, AND INTRODUCTION OF ZONING ORDINANCE TEXT AMENDMENT NO. 2013-01 RELATED EMERGENCY SHELTER HOUSING AND CHAPTER 17 (ZONING) TO COMPLY WITH STATE HOUSING LAW WHICH INCLUDES VARIOUS TEXT AND DEFINITION UPDATES TO THE ZONING CODE (UA2013-10)

City Manager Rodriquez stated that this ordinance is to update existing ordinance and comply with state law.

Mayor Hodge opened the public hearing at 9:11p.m.

Mayor Hodge closed the public hearing at 9:12p.m.

Motion was made by Mayor Pro Tem Moreno to adopt an ordinance of the City of the City Council of the City of Calexico, California amending Chapter 17 Section 17.01.900 – Definitions, and Section 17.03.110 A (10-12) of the zoning code. Motion seconded by Mayor Hodge and passed by the following:

AYES:	Hodge, Moreno, Hurtado, Kim, Castro
NOES:	None
ABSENT:	None

FUTURE AGENDA ITEMS

Councilman Kim requested an emergency program created by Recreation Department using school facilities for local sport groups.

Mayor Hodge gave requested an executive/analysis/feasibility report on renovating downtown.

CLOSED SESSION

The City Council reconvened from Closed Session at 6:05p.m.

ADJOURNMENT

There being no further business the meeting adjourned at 9:17p.m.

Bill Hodge, Mayor

Attest:

Erica LaCuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL SESSION ON THE 21ST DAY OF MAY 2014 AT 6:30 P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CALL TO ORDER

Mayor Hodge called the meeting to order at 5:36 p.m. and led those present in the pledge of allegiance.

ATTENDANCE

Mayor: Bill Hodge
Mayor Pro Tem: John M. Moreno
Council Member: Joong S. Kim
Council Member: Luis J. Castro

ABSENT

Council Member: Maritza Hurtado
Council Member Hurtado arrived at 5:46 p.m.

APPROVAL OF THE AGENDA.

Motion was made by Councilman Kim, seconded by Councilman Castro to approve the agenda as presented. Motion passed by the following vote to wit:

AYES: Hodge, Kim, Castro
NOES: Moreno
ABSENT: Hurtado

PUBLIC COMMENTS: No public comments were received.

CLOSED SESSION

The City Council convened in Closed Session at 5:39 p.m. to discuss the following:

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

- B. CONFERENCE WITH LEGAL COUNSEL---ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Govt. Code section 54956.9(d)(2) - 1 case
Existing facts and circumstances pursuant to Govt. Code section 54956.9(e)(1)

Council Member Hurtado arrived at 5:46 p.m.

City Council reconvened from Closed Session at 6:12 p.m.

ATTENDANCE:

Present: Hodge, Moreno, Kim, Castro

Absent: Hurtado

Jennifer Lyon, City Attorney reported direction was given and no reportable action was taken.

ADJOURNMENT

There being no further business, meeting adjourned at 6:14 pm

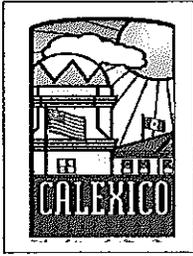
Bill Hodge, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

**AGENDA
ITEM**

3



AGENDA STAFF REPORT

DATE: September 2, 2014

TO: Mayor and City Council

APPROVED BY: Richard N. Warne, Interim City Manager *RN*

PREPARED BY: Nick Servin, Director of Public Works /City Engineer

SUBJECT: Second reading/Adoption of Regular Ordinance re: Local Restrictions on Outdoor Use of Water Pursuant to Statewide Drought Conditions

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Recommendation:

1. Adopt Regular Ordinance by title only, waive further reading

Background:

On July 15th, 2014, the State Water Resources Control Board (SWRCB) adopted Resolution No. 2014-0038 adopting emergency regulations under the California Code of Regulations for statewide urban water conservation. The new regulations went into law on July 29th, 2014. Among its various regulations, SWRCB Resolution No. 2014-0038 requires urban water suppliers which have not adopted an adequate water shortage contingency plan to enact certain outdoor watering restrictions within 30 days. Calexico is an urban water supplier. The City is currently in the process of updating its 2010 Urban Water Management Plan, which will include a water shortage contingency plan along the lines of what the SWRCB is looking for with the recent regulations. The SWRCB's emergency regulations are effective for 270 days and may be reduced or renewed by the State prior to its expiration.

Discussion & Analysis:

The adopted SWRCB resolution modifies the California Code of Regulations and requires water retailers that have not adopted a water shortage contingency plan consistent with the new regulations, such as the City of Calexico, to implement immediate restrictions on use of potable water for outdoor irrigation of ornamental landscapes or turf with potable water, and limit watering to three days per week or to the level necessary to bring water use below the 2013 standards.

<p>AGENDA ITEM</p> <p><u>3</u></p>

The City of Calexico is planning to update its 2010 Urban Water Management Plan (UWMP) in 2015. The revised UWMP will contain a water shortage contingency plan that may adopt, revise, or rescind the water conservation measures recommended for adoption in these Ordinances and Resolution.

To comply with these new state mandates, we are proposing a new chapter of the Calexico Municipal Code that will create a two-level water conservation plan in times of water shortage and/or drought conditions. Council approved the Urgency Ordinance and Resolution on August 19, 2014.

Regulation Summary:

1. The proposed regulations apply only to City of Calexico water department customers.
2. The proposed regulations apply only to use of potable water.
3. A two-level water shortage contingency plan is effectively created whereby certain outdoor watering restrictions shall be implemented during Level 2 water conservation conditions. During Level 1 water conditions, those watering restrictions shall not apply.
4. During Level 2 water conditions, the following activities are prohibited:
 - a. Watering of lawns and ornamental landscapes shall be limited to three times per week on the following days:
 - i. Properties located north of Highway 98 shall water on Tuesdays, Thursdays, and Saturdays only.
 - ii. Properties located south of Highway 98 shall water on Mondays, Wednesdays, and Fridays only.
 - b. Application of potable water to outdoor landscapes in a manner that causes water runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited.
 - c. The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, unless the hose is fitted with a shut-off nozzle.
 - d. The application of potable water to driveways and sidewalks is prohibited.
 - e. The use of potable water in a fountain or decorative water feature is prohibited unless the water is re-circulated.
5. The proposed resolution makes Level 2 water restrictions effective immediately.
6. The City Council in its discretion may return to Level 1 watering restrictions.
7. Violation of the proposed Level 2 water conditions shall be punishable by a fine of up to \$500 per violation, per day.
8. Notices of violation and associated fines under this chapter may be subject to appeal and hearing depending upon the type of citation used by the City official (criminal or administrative citation).
9. Continuing violations under this chapter may be deemed a public nuisance for further action.

**AGENDA
ITEM**

3

Fiscal Impact:

Minimal Impact to the General Fund, Potential minimal income generation via fines. Additional costs for printing information flyers and bill inserts ranging from \$1,500 to \$2,500.

Coordinated With:

Richard N. Warne, City Manager

Attachments:

1. Regular Ordinance
2. Map showing water irrigation areas



ORDINANCE NO. 1156

**AN ORDINANCE OF THE CITY COUNCIL OF CALEXICO, CALIFORNIA,
ESTABLISHING LOCAL RESTRICTIONS ON OUTDOOR USE OF POTABLE
WATER THROUGH LEVELS OF WATER CONSERVATION PLANS TO BECOME
EFFECTIVE IMMEDIATELY**

WHEREAS, on January 17, 2014, California Governor Edmund G. Brown, Jr. proclaimed a Drought State of Emergency over the entire state following the third straight year of drought conditions, and directed state officials to take all necessary actions to prepare for these drought conditions; and

WHEREAS, on April 25, 2014, Governor Brown proclaimed a second Drought State of Emergency which strengthened the authority of state officials to implement emergency drought measures, and called upon citizens and the business community to limit use of potable water in daily activities; and

WHEREAS, Governor Brown's April 25, 2014 Drought State of Emergency suspended environmental review required by the California Environmental Quality Act (CEQA) arising from local measures adopted to comply with State conservation measures; and

WHEREAS, Governor Brown's January 17, 2014 and April 25, 2014, Governor Brown Drought State of Emergency proclamations have been codified under Title 23 of the California Code of Regulations section 863; and

WHEREAS, on July 15, 2014, the State Water Control Resources Board (SWCRB) adopted Resolution No. 2014-0038, which adopted new regulations in Title 23 of the California Code of Regulations to place certain restrictions on outdoor use of potable water, and authorizes imposition of \$500 fines for violation of these restrictions;

WHEREAS, SWCRB Resolution No. 2014-0038 also requires urban water suppliers who have not adopted adequate water shortage contingency plans, within 30 days of the effective date of the new laws, to limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week, or implement a plan which achieves a comparable reduction in water consumption; and

WHEREAS, the water restrictions enacted under SWCRB Resolution No. 2014-0038 are to expire after 270 days, but may be extended or shortened by the State Legislature; and

WHEREAS, the regulations adopted under SWCRB Resolution No. 2014-0038 became effective on July 29, 2014; and

WHEREAS, the City of Calexico ("the City") adopted an Urban Water Management Plan (UWMP) in 2011 however the UWMP does not address the type of water shortage contingency plans contemplated by the State's most recent Emergency proclamations therefore, the City is an urban water supplier that does not currently have a water shortage contingency plan; and

WHEREAS, the City is planning to update its 2010 UWMP in 2015, which will contain a water shortage contingency plan; and

WHEREAS, Governor Brown has repeatedly proclaimed that the State is in the midst of a Drought State of Emergency, and authorized State and local agencies to take drastic measures to curtail water consumption; and

WHEREAS, the water conservation measures being adopted herein may be revised or rescinded in the future in connection with the City Council's adoption of the revised UWMP, and/or pursuant to subsequent periodic review of the UWMP.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. The above recitals are true and correct and incorporated herein as findings as though set forth in full.

SECTION TWO. A new Chapter IV is added to Title 13 of the City of Calexico Municipal Code to read:

“Chapter IV. – Water Conservation

Chapter 13.40 RESTRICTIONS ON OUTDOOR USE OF WATER DURING STATEWIDE DROUGHT CONDITIONS

13.40.010- Policy and purpose.

- A. The purpose of this chapter is to establish a water conservation and supply shortage program that will reduce water consumption within the City of Calexico and its service territory through conservation, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, and maximize the efficient use of water within the city of Calexico and its service territory to avoid and minimize the effect and hardship of water shortage to the greatest possible extent.
- B. This chapter establishes permanent water waste and conservation standards intended to alter behavior related to water use efficiency at all times and further establishes two levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.
- C. The provisions of this chapter are intended to achieve consistency with California Code of Regulations, Title 23, Sections 863 through 865.

- D. The provisions of this chapter shall be distinct and cumulative from, and remain consistent with sections 13.24.010 and 13.24.020 of this code and the City's adopted Urban Water Management Plan, concerning shortages in local water supply.

13.40.020- Definitions.

As used in this chapter, unless a different meaning is apparent from the context or is specified elsewhere in the code, the following words shall have the following meanings:

- A. "City" means the area within the territorial city limits of the City of Calexico and such territory outside of this city over which the city has jurisdiction or for which the city of Calexico water department provides water service.
- B. "Council" means the city council of this city.
- C. "Person" means any individual person or persons, corporation, public or private entity, governmental agency or institution, including all agencies and departments of the City of Calexico, or any other user of water provided by the City of Calexico water department.
- D. "Customer" means any person, persons, association, corporation, or governmental agency supplied and billed for water service by the City of Calexico water department.
- E. "Department" means the City of Calexico water department, its divisions, and its employees.
- F. "Potable water" means water that is suitable for drinking.
- G. "Recycled water" means the reclamation and reuse of non-potable water for beneficial use.

13.40.030- Application.

The provisions of this chapter apply to any Person in the use of any potable water provided by the Department, except for the following water uses:

- A. Water necessary for water system or fire suppression system testing and maintenance, or fire suppression and other similar emergency services affecting public health and safety.
- B. Water necessary to protect public health and safety as determined in the discretion of the Department and/or the Council.
- C. Any use of Recycled water.
- D. The use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial use.

13.40.040- Water conservation plan implementation.

The Department shall monitor and evaluate the projected supply and demand for water by its customers and any State proclamations regarding drought conditions. In the event of a water shortage and/or Statewide drought, the Department shall recommend that the Council make a determination that a water shortage exists and that the Level 2 Water Conservation Plan shall take effect, as provided in this chapter. The Council may discontinue any level or may implement another level as necessary. Upon a finding by the Council that a water shortage no longer exists, any water shortage level then in effect shall terminate.

13.40.050- Level 1 Water Conservation Plan.

Under a Level 1 Water Conservation Plan, there are no outdoor water use restrictions and the Level 2 Water Conservation Plan restrictions specified in section 13.40.060, below, shall not be applicable.

13.40.060- Level 2 Water Conservation Plan.

Under a Level 2 Water Conservation Plan, the following restrictions on a Person's use of potable water shall apply:

- A. Watering of lawns and ornamental landscapes shall be limited to three times per week on the following days:
 - 1. Properties located North of Highway 98 shall water on Tuesdays, Thursdays, and Saturdays only
 - 2. Properties located South of Highway 98 shall water on Mondays, Wednesdays, and Fridays only;
- B. Watering of lawns and ornamental landscapes is prohibited between the hours of 9 a.m. and 6 p.m.;
- C. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited;
- D. The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, unless the hose is fitted with a shut-off nozzle or other device attached to the hose that causes it to cease dispensing water immediately when not in use;
- E. The application of potable water to driveways and sidewalks is prohibited;
- F. The use of potable water in a fountain or decorative water feature is prohibited unless the water is re-circulated;

13.40.070- Violation.

All means of enforcement authorized under this code may be used to address violations of this chapter, including, but not limited to: criminal actions, nuisance abatement, civil actions, and administrative citations. Violations of this chapter are punishable as an infraction and subject to fine of up to \$500.00 per violation, per day.

13.40.080- Reservation of rights.

The rights of the Department hereunder shall be cumulative to any other right of the Department to discontinue service.

13.40.090- Public nuisance.

In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance and may be, by the city, summarily abated as such, and each day such condition continues shall be regarded as a new and separate offense.

13.40.100- Severability.

If any section, subsection, sentence, clause or phrase in this chapter is for any reason held invalid, the validity of the remainder of the chapter will not be affected. The Council hereby declares it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or is declared invalid.”

SECTION THREE. The City Council finds that this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Governor Brown’s April 25, 2014 proclamation of a Drought State of Emergency which suspends CEQA environmental review for local actions to adopt State conservation measures.

SECTION FOUR. Any provision of the Calexico Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION FIVE. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be substantially declared invalid or unconstitutional.

EFFECTIVE DATE: This Ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this Ordinance and cause it to be published as required by law.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Calexico on the 19th day of August, 2014 and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Calexico, California, on the _____ day of _____ 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Moreno, Mayor

ATTEST:

Gabriela Garcia, Deputy City Clerk
City of Calexico

CITY OF CALEXICO
GRASS WATERING MAP
 ENGINEERING DEPARTMENT
 YUBA COUNTY, CALIFORNIA

LEGEND

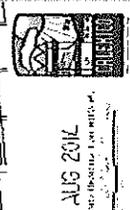
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HWY 98

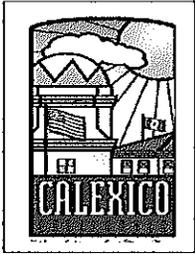


AUG 2016

APPROVED: [Signature]

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AGENDA STAFF REPORT

DATE: September 2, 2014

TO: Mayor and City Council

APPROVED BY: Richard N. Warne, Interim City Manager *RNW*

PREPARED BY: Richard N. Warne, Interim City Manager *RNW*

SUBJECT: Proposed FY2014-2015 Budget Workshop
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Recommendation:

(1) Listen to presentation regarding the FY2015 Calexico budget and (2) conduct City Council workshop regarding budget.

Background:

Since my arrival on July 1, 2014, I have been working diligently to prepare the proposed annual FY2014-2015 Budget for City Council consideration. This budget is being prepared in the context of one of the most difficult and challenging economic, financial and political environments.

Despite these challenges Calexico has a bright future and has unlimited potential. The City is an ethnically and culturally rich and diverse community, located on the border between California and Mexico. It can capitalize on the trade, commerce, culture and energy that comes from its unique status as an international gateway City.

Discussion & Analysis:

The Proposed FY2014-2015 Budget is prepared within the broad context of the Calexico Strategic Planning, Implementation and Evaluation Decision-Making Process. This decision-making process outlined in Section 1 of the budget document provides the framework for the City's strategic planning, executing and evaluating City operations, organizational structure, budgets, programs, service levels and capital projects.

The Proposed FY2014-2015 Calexico Budget is a financial plan, operations guide, policy document and a communications device. It conforms to the highest national budget standards published by the Government Finance Officers Association (GFOA) of the United States and Canada. Its pages

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contain goals for City departments, footnotes and detailed explanations of the City's past, present and future transactions and activities for review by the public and the City Council.

The preparation of the annual budget is an arduous task. I appreciate the efforts of John T. Quinn, Gabriela Garcia, Liliana Falomir, Nick Servin, Nick Fenley, Peter Mercado, Pompeyo Tabarez, Richard Reno, Terri Nava, Sandra Tauler, Erica Lacuesta, Sally Hernandez and all the other staff members for their contributions to the final product.

Fiscal Impact:

The fiscal impact of the proposed budget is outlined in the budget document.

Coordinated With:

All City Departments.

Attachment:

Proposed FY2014-2015 budget will be distributed prior to the City Council meeting.