



**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, April 21, 2015
6:30 p.m.**

Council Members

**John M. Moreno, Mayor/Chairman
Joong S. Kim, Mayor Pro Tem/Vice Chair
Luis J. Castro, Councilman
Armando Real, 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: 1162
Next City Resolution Number: 2015-16**

CLOSED SESSION AGENDA

5:30 P.M.

CALL TO ORDER

Roll Call.
Adjourn to Closed Session.

A "Closed" Session of the City Council/Calexico Community Redevelopment Agency Successor Agency/ Calexico Financing Authority may be held in accordance with state law which may include, but is not limited to, the following types of items: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators and conference with legal counsel regarding pending litigation. The Closed Session will be held in the City Hall Conference Room located at 608 Heber Avenue, Calexico, California. Any public comment on Closed Session items will be taken before the Closed Session. Any required announcements or discussion of Closed Session items or actions following the Closed Session will be made in the City Council Chambers, 608 Heber Avenue, Calexico, California.

1. PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957 (b)
Title: City Attorney

2. PUBLIC EMPLOYEE APPOINTMENT
Government Code 54957 (b)
Title: Interim City Attorney/City Attorney

CALL TO ORDER

Call to Order and Attendance.
Pledge of Allegiance.
Invocation by Pastor Hugo Guillen, Seventh Day Adventist Church
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

3. Proclamation of Veterans Appreciation Month – May 2015.
4. Presentation by the Calexico Police Officers Association.

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.

5. City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meeting of April 7, 2015, December 6, 2011, October 5, 2010 and Special Meeting Minutes for October 5, 2010.
6. Application for Alcoholic Beverage License for Crown Oil, Inc., 824 S. Imperial Avenue, Calexico, CA 92231.
7. Application for Alcoholic Beverage License for Crown Oil, Inc., Crown Oil USA #798, 444 S. Imperial Avenue, Calexico, CA 92231.
8. Application for Alcoholic Beverage License for Crown Oil, Inc., Crown Oil USA #796, 1036 S. Imperial Avenue, Calexico, CA 92231.
9. Warrants from March 20, 2015 to April 7, 2015.

10. Approval of Transfer of 2.26 Acres from the Calexico Foreign Trade Zone Designation to JE Exports Located at 701 Cesar Chavez Blvd. and 224 Grant Street, Calexico.
11. Approve TDA Resolutions and Claims:
 - a) TDA Article 8(e) Application, Claim and Resolution for \$17,647.00.
 - b) TDA Article 8(e) Application, Claim and Resolution for \$25,000.00.
 - c) TDA Article 3 Application, Claim and Resolution for \$30,707.00.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

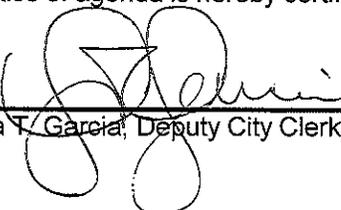
DISCUSSION AND POTENTIAL ACTION ITEMS

12. (1) Consideration of Potential Calexico Code of Ethics Violations by Council Member Luis Castro and
(2) Consideration of a Resolution of the City Council of the City of Calexico Reprimanding and Censuring Council Member Castro for Violating the City of Calexico Code of Ethics and Stripping Him of all City Council Assignments.
13. Approve Agreement for the Exchange of Real Property and Joint Escrow Instructions Between Bordertown Investments, LP and the City of Calexico Subject to Final Review and Approval by the City Manager and by City Attorney.
14. Discussion and Potential City Council Guidance Regarding Dust Control Covering for Auto Storage and Parking Lots.
15. Appointment of a Resident Commissioner to the Calexico Housing Authority.
16. Appointment by Council Member Real to the Street Naming Committee.

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 7:30 p.m., April 16, 2015.



Gabriela T. Garcia, Deputy City Clerk

7:30 p.m. / April 16, 2015

Time/Date

**AGENDA
ITEM**

3

Calexico City Council



Proclamation

Veterans Appreciation Month - May 2015

WHEREAS, the people of Imperial Valley appreciate and admire the thousands of men and women who served in the armed forces to protect and preserve their country and the freedoms enjoyed by all Americans; and

WHEREAS, in war, international conflicts and peacekeeping missions, men and women have been wounded, taken as Prisoners and died in the line of duty; and

WHEREAS, veterans possess a wide variety of valuable qualities, including experience, maturity, leadership and loyalty, that make them ideal candidates for employment; and

WHEREAS, the City of Calexico is committed to ensuring that veterans receive the services and programs to which they are entitled, and to promoting employer interest in hiring veterans; and

WHEREAS, during Veterans Appreciation Month, state and local agencies increase employer awareness about the benefits of hiring veterans; and

NOW, THEREFORE, I, John M. Moreno, Mayor of the City of Calexico on behalf of the Calexico City Council do hereby proclaim May 2015 as Veterans Appreciation Month.

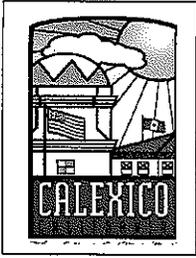
IN WITNESS WHEREOF, I hereunto affix my signature and Official Seal of the City of Calexico on the 21st day of April, 2015.

John M. Moreno, Mayor



**AGENDA
ITEM**

5



AGENDA STAFF REPORT

DATE: April 21, 2015

TO: Mayor and City Council

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

PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *GT Garcia*

SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meetings of April 7, 2015, December 6, 2011, October 5, 2010, and Special Meeting of October 5, 2010

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meetings of April 7, 2015, December 6, 2011, October 5, 2010 and Special Meeting of October 5, 2010.

Background:

In accordance with Municipal Code Section 2.04.070, the City Clerk shall prepare minutes of the proceedings of each City Council Meeting.

Discussion & Analysis:

Minutes for City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meetings of April 7, 2015, December 6, 2011, October 5, 2010 and Special Meeting of October 5, 2010 have been prepared for City Council review and approval.

Fiscal Impact:

None.

Coordinated With:

None.

Attachments:

Minutes for April 7, 2015, December 6, 2011, October 5, 2010 and Special Meeting of October 5, 2010.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL SESSION ON THE 7TH DAY OF APRIL 2015 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 Moreno called meeting to order at 6:36 p.m.

ATTENDANCE

Mayor: John M. Moreno
Mayor Pro Tem: Joong S. Kim
Council Member: Luis J. Castro
Council Member: Armando Real
Council Member: Maritza Hurtado

PLEDGE OF ALLEGIANCE.

Mayor Moreno led those present in the Pledge of Allegiance.

INVOCATION

Invocation was given Pastor Ricardo Leal from the CEDES.

APPROVAL OF THE AGENDA.

Clerk made a correction to back-up documentation on Item No. 19. Mayor acknowledged he change.

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

Kim requested Item 16 be removed from the agenda.

Councilwoman Hurtado did not agree to amend her motion to remove Item No. 16.

Motion to approve agenda as presented passed by the following vote to wit:

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

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS**PROCLAMATION PRESENTED BY MAYOR MORENO TO MR. DANIEL GUTIERREZ – POLICE ADVISORY COMMISSIONER.**

Council Members read and presented Proclamation Honoring Mr. Daniel Gutierrez. Color Guard presented colors. Ms. Reyna Gutierrez Reyna spoke on behalf of Mr. Gutierrez. Commissioner Beaver dedicated the song “Lady” to Mrs. Esperanza Gutierrez for her support of her husband.

Javier Gonzalez, President of the Kennedy Gardens Neighborhood Watch presented Mr. Gutierrez with a plaque, a watch and John F. Kennedy award for service. Mr. Gutierrez thanked everyone for the honor.

PROCLAMATION FOR LIONS INTERNATIONAL - LION EYES ACROSS CALIFORNIA DAY - MARCH 28, 2015.

Members of the Council read the Lions International – Lion Eyes Across California Day – March 28, 2015 Proclamation.

PROCLAMATION FOR NATIONAL LIBRARY WEEK - APRIL 12-18, 2015.

Members of the Council read the National Library Week Proclamation. Proclamation was presented to Mrs. Sandra Tauler, Community Services Director.

PRESENTATION BY NATASHA WOODS, MOBILE NOW REGARDING PARK CALEXICO.

Ms. Natasha Woods gave a presentation on the service and aspects provided by Mobile Now program and registering for the online service to pay for parking in downtown Calexico.

Council Member Hurtado asked about other digital permits. Ms. Woods explained it is for other online services that provides permits and can also be paid online.

City Manager Warne stated this program is interfaced with traffic enforcement so they can tell with their handheld that the car has paid with parking online. This eliminates the problem of getting a ticket for parking.

REPORT BY THE ECONOMIC DEVELOPMENT COMMISSION REGARDING AGRO BAJA EXPOSITION AND IMPERIAL IRRIGATION DISTRICT RENEWABLE SUMMIT MARKETING ACTIVITIES.

Ben Horton provided a report and stated the EDC is alive and well. He stated the City has the best Economic commission in the Valley. The Commission was involved with Agro Baja, the Supply Exposition and the Energy Summit. He explained the benefit to the City are the contacts with people trying to locate in the City. He stated there is a team effort with Mrs. Julia Osuna who is dedicated to the commission along with the members of the commission. He advised the

commission wants to put out a newsletter for the City. He stated EDC is exploring the idea of having dormitories for students of San Diego State University. He stated this project could do a lot for the City of Calexico.

PRESENTATION BY THE CALEXICO POLICE OFFICERS ASSOCIATION.

Chief Bostic announced that President of the Association was unable to attend due to surgery.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Javier Gonzalez, Graduate student from San Diego State University spoke about the presentation made on the New River. He stated that at San Diego there was 438 presentation on various topics and the team project on the New River – Bringing Public Good through the Collaboration of Government and Non-Government Agencies and the Team was in the top 5 and won for the best poster at the presentations. The Presentation will now go before the State of California.

Dean Pearson invited everyone this Friday to El Savor del Valle at San Diego, CA. This event is the major event for the year with 24 restaurants from around the valley. Noche de Flamenco is the theme. There will be entertainment and raffles and three live actions for a night of great fun. The ticket will give access to all the restaurants at the event. All proceeds go to student scholarships.

Jason Jung, Downtown Merchant, stated he was a victim of extortion by City Staff. He spoke about his water being shut and how the fees being charged were inappropriate and how the staff could not explain to him how he was being charged in accordance with ordinance. He explained the City Manager resolved the matter after being given the run around. He also spoke about posting flags outside the businesses to market the business and felt the City is killing its own downtown.

Maribel Padilla spoke about the previous and items pulled from the consent agenda and commented on Mayor Pro Tem Kim's concerns. She provided a breakdown of the salaries paid to

Council Members Castro and Kim. She stated the combined salary for these Council Members is \$280,752.00. She stated their payroll was a waste of City money. She asked Council Members Kim and Castro to attend the briefings eliminating the need to pull items.

Jose Vindiola, President of Desert Valley Bandits thanked the City of Calexico for their support of the Annual Easter Egg Hunt 2015.

Joe Buchanan, 982 Corrales Street, expressed his concern for the events happening at the meeting. He stated the City should have more of a yes, we can do attitude and how there is a need to have better customer service welcome the visitors to Calexico. He also stated the need to recognize people of the community and employees because having negative notes is not good for the morale.

John Romo, spoke about his training and experience and would like to be considered for the appointment to the Calexico Housing Authority. He expressed concerns about the Housing Authority with projects that need to be done.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Real wished everyone had a great Easter vacation. Reminded everyone of the Car Show on April 11th in Downtown Calexico. He thanked everyone for coming to the meeting tonight and hoped it was this way every time. He thanked Mr. Gutierrez for his 24 years of service as a Police Commissioner. He stated that in Calexico public service is very important and the citizens take a lot of the slack that City government lacks. He stated politics are very strong and stated he was not prepared for the level of politics coming to him once he was elected. He stated this room is filled with people who love this City, Bulldogs are Bulldogs. He stated the need to understand that when you vote for someone on the Council to do what you want them to do always. Council agrees to disagree and sometimes it is hard to explain why certain decisions are made especially when they have confidential information that the public does not have.

Council Member Hurtado expressed condolences to Mayor and his family for the loss of his father, Mr. Frank Moreno. She stated he was a pioneer and is in support of the family and thanked him for the work done by the family. Congratulated Mr. Gutierrez and the Class of 82 for their work in the community. Advised the City had its Strategic Planning in March. The Council has common goals and a report will be completed soon. Spoke about the bank issue which is a federal problem, money laundering, securities issue and it may be that the Council cannot do anything about it. She spoke about the work by the Economic Development Commission. She reported on the border crossing ground breaking in August 2015. She mentioned that Mexicali Soles basketball team is playing their final game and wished them luck. She spoke about the letter from the District Attorney and the issues with the Council and the image and issues which need to be improved.

Council Member Kim stated he was glad that a lot of people attended tonight's meeting to be involved in the democratic process. He spoke about sludges in the City and how the City is failing to serve the community. He stated he is only vote and the Council has to think about the goal to serve the community. He stated he has been harassed by City staff and told that if he continues there will be nothing good for him or the community and there is going to be big lawsuit. He attended Mr. Moreno's funeral and stated he met Mr. Moreno in 1989 and he was a very nice man and he heard many good things about him. He will be missed and wished Mayor followed his father's trails on serving the community.

Council Member Castro concurred with Mayor Pro Tem Kim that we need to let the citizen participate in the City issues. He addressed the time limit of three minutes for the citizens to speak and this not right and it is not democracy and it is not transparency. As a council member he tries to make some points related to the city because we receive so many complaints and three minutes is not enough to talk about the issue. He stated this is against transparency and democracy and this is his concern. He stated the need to focus on the issues and let the people speak and let the Council Members expose the problems of the City. If this is not done then what is the purpose of the meeting but to let the people speak. He stated the people should be allowed to ask the questions. He spoke about trying to represent the people and he tries to be fair and generous with the people and have given the people the opportunity to talk because this is democracy and transparency.

Mayor stated that if the Council chooses to change they can chose to give more minutes, this could be discussed. Mayor reminded everyone of the State of the City Address is April 16th, 2015 on

Thursday, at William Moreno Jr. High School and he invited the public to the City 107th Anniversary Event. It has been a difficult three weeks and thanked the community for the support, for the messages during this difficult time with the death of his father. He hoped that all parents lived long. Thanked the Council Members. His father was born in Calexico in 1928 and Proud of the Community. He was proud of his family who came from Moctezuma Sonora. His father taught him to respect others and stated he holds nothing against Council Members Kim and Castro.

CONSENT CALENDAR

Mayor Moreno pulled Item No. 12 - Resolution that Awards Provisions of Banking Services to Wells Fargo Bank and Authorize the City Manager to Execute any Documents as May be Necessary to Fully Execute the Transaction for discussion.

Council Member Castro pulled Item No. 10 - Warrants from February 19, 2015 to March 4, 2015 and Item No. 11 - Warrants from March 5, 2015 to March 19, 2015 for discussion.

Mayor Pro Tem Kim pulled Item No. 15 - City of Calexico Five (5) Year Program Projects 2015-2020 for Road Projects to be funded by Imperial County Local Transportation Authority (LTA) Sales Tax Revenue Bond for discussion.

Council Member Real motioned 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 March 3, 2015, November 1, 2011, October 18, 2011, September 20, 2011 and Special Meetings of May 13, 2013 and June 25, 2011; Application for Alcoholic Beverage License for R & EM Corporation, FILLCO, 324 S. Imperial Avenue, Calexico, CA 92231; Application for Alcoholic Beverage License for RFH Corporation, FILLCO, 1011 S. Imperial Avenue, Calexico, CA 92231; Adoption of Ordinance Approving Zone Change No. 2011-03 for Calexico Mega Park II Project (UA 2011-01); (1) Award the Bid Proposal from Aggregate Products, Inc. in the Amount of \$1,960,472.05 (Base Bid) for the 2015 Street Improvement Project Asphalt Rubber Composite Layer Overlay Plus 10% Contingency (\$196,047.20) (2) Authorize City Manager to Sign an Agreement Between the City of Calexico and Aggregate Products, Inc. for 2015 Street Improvement Project Asphalt Rubber Composite Layer Overlay. Motion was seconded by Council Member Hurtado and passed unanimously.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 10 - WARRANTS FROM FEBRUARY 19, 2015 TO MARCH 4, 2015 AND ITEM NO. 11 - WARRANTS FROM MARCH 5, 2015 TO MARCH 19, 2015.

Council Member Castro questioned Vendor No. 10673 on Page No. 2. City Manager stated it is the City's required contribution for all full-time employees who belong to the retirement system. Council Member Castro questioned if the City has made changes. City Manager stated the terms and conditions of the retirement contract has not been changed.

Council Member Real requested clarification on whether it was a monthly contribution. Mr. Quinn, Finance Director explained it was approximately \$ 90K every two weeks.

Mayor Pro Tem Kim asked a question on Vendor No. 10664 on Page 2 – Prepaid Legal Services Incorporated. He asked that if we have a City lawyer why we pay other lawyers.

Mr. Quinn stated the City subscribes to a legal employee program and this is a payment we pay for them. Employee assistance program consisting of assistance with psychological, legal, financial issues.

Motion made by Hurtado to approve Item No. 10 and Item No. 11. Motion was seconded by Council Member Castro. Motion passed by the following vote to wit:

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

ADOPT RESOLUTION THAT AWARDS PROVISIONS OF BANKING SERVICES TO WELLS FARGO BANK AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY DOCUMENTS AS MAY BE NECESSARY TO FULLY EXECUTE THE TRANSACTION.

Mayor Moreno stated he would recuses himself for Item No. 12 due to a possible conflict of interest due to his brother working with Wells Fargo Bank.

Mayor Moreno left the Council Chambers at 6:42 p.m.

City Manager Warne stated Rabobank was leaving the City, and the City is moving its money to a bank that has an office in town. He stated the City sent out a banking request for proposals and recommend that the City's money be transferred to Wells Fargo. He further stated the City already has a relationship with Wells Fargo who already handle other banking for the City.

Council Member Real asked if there was a financial impact such as accrued interest and if this is any different from RaboBank. City Manager stated the proposals show it is better with Wells Fargo.

John Quinn stated the two quotes were provided, Rabobank was quite a bit different than Wells Fargo. The City currently banks with Rabobank and they have closed. There are problems such as service issues and they are closing many branches in Southern California. Wells Fargo has shown a significant improvement in services. They have a lock box and Rabobank does not have a lock box service. We do have the service with Wells Fargo Bank and keep everything within this bank. Mr. Quinn explained that a lock box is where our customers send their checks and they are processed and they do an overnight transfer funds from the City and they process the fees for the City.

Council Member Real asked if the interest on money deposited was higher. Quinn stated that Wells Fargo is basing their quote on an average daily balance of \$7 million dollars and Rabobank is using an average daily balance of \$896,000.00 dollars. He further stated the interest is higher with Wells Fargo .35 than with Rabobank at .30. He stated it is a significant difference in interest when you

are talking about \$7 million dollars. He also stated they are all in accordance with Federal Reserve and all Federal requirements.

Council Member Real stated he would much rather see the City bank at a local bank and owned in the County because the money stays here and they hire people from the Valley. Mr. Quinn stated Rabobank is as close as you can get to a local bank however they do not have the resources of a Wells Fargo and Wells Fargo does hire local people.

Motion was made by Council Member Real and seconded by Council Member Hurtado to approve the Resolution that Awards Provisions of Banking Services to Wells Fargo Bank and Authorize the City Manager to execute any documents as may be necessary to fully execute the transaction. Motion passed by the following vote to wit:

AYES:	Kim, Real, Hurtado, Castro
NOES:	None
ABSENT:	None
RECUES:	Moreno

Mayor Moreno returned to the Council Chambers at 6:49 p.m.

ITEM NO. 15 - APPROVE THE CITY OF CALEXICO FIVE (5) YEAR PROGRAM PROJECTS 2015-2020 FOR ROAD PROJECTS TO BE FUNDED BY IMPERIAL COUNTY LOCAL TRANSPORTATION AUTHORITY (LTA) SALES TAX REVENUE BOND.

Mayor Pro Tem Kim stated the City has many streets that need to be fixed. He urged the Council Members to support him with spending money more than \$ 1 million dollars faster. He did not see why the City has to have money sitting and streets are not being repaired.

City Manager stated this is \$2.1 million to repair the streets as requested and most of the money is coming from Measure D. In order to use the Local Transportation Authority sales tax Revenue Bond, every street that is going to be paved under this contract has to be on the five year program for 2015-2020 and you are now adding the streets that were missing from the list. You are adding streets that were missing on the list.

Mayor Pro Tem Kim asked why other streets are not on the list when they are in need of repair and have to wait until other funds come in.

City Manager stated the City is spending money and Council adopted a budget with a list of streets to be paved with Measure D money and the bid from the Engineering Department is for repairing streets.

Nick Servin stated the City is limited as to how much of that money can be used and the City has been using \$ 2 million to repair streets every year. He stated the streets added tonight are the ones on which the city received many complaints. He stated there is about \$2 million dollars being allocated per year. Mr. Servin stated there has to be a buffer for emergency repairs.

Mayor Moreno asked if Mayor Pro Tem Kim wanted a report from Mr. Servin on the projects. Mayor Pro Tem Kim stated he supports the project 100% and was taking this chance to ask to expedite the repair of the streets. He requested to bring an item to the agenda to discuss how the funds would be spend.

City Manager explained that the City is spending the funds and is taking the resources from various sources and allocating them to streets and spending the money to repair streets. He stated he did not want the public to think there was money sitting and that nothing was being done.

Mayor Moreno asked if a report could be presented at the next meeting on streets to be repaired, cost and funds available.

Council Member Real want to know how the streets are picked, if a study is done and discussed prioritizing the streets as per the needs.

Mr. Kim stated he did not see Rockwood Street from Highway 98 south which is in very bad condition. Mr. Servin he would look into this and the City needs this approved to continue with the project.

Motion was made by Council Member Real, seconded by Mayor Pro Tem Kim and passed unanimously to approve the City of Calexico Five (5) Year Program Projects 2015-2020 for Road Projects to be funded by Imperial County Local Transportation Authority (LTA) Sales Tax Revenue Bond.

(1) CONSIDERATION OF POTENTIAL CALEXICO CODE OF ETHICS VIOLATIONS BY COUNCIL MEMBER LUIS CASTRO AND (2) CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO REPRIMANDING AND CENSURING COUNCIL MEMBER CASTRO FOR VIOLATING THE CITY OF CALEXICO CODE OF ETHIC AND STRIPPING HIM OF ALL CITY COUNCIL ASSIGNMENTS.

Council Member Hurtado left the Council Chambers at 7:00 p.m.

Mayor Moreno stated he brought this forward due to the actions by Council Member Castro at the March 3, 2015 meeting. He stated he was very disappointed with the outcome of the meeting and he believed a pattern has been established by Mr. Castro and hopefully he can learn to correct some of his actions so that we can work in a more professional manner.

Council Member Hurtado returned to Council Chambers at 7:03 p.m.

City Manager stated that Cities adopts a Code of Ethics is so that there is an agreed upon standard of conduct as to how the Council deals with the public, staff and each other. He stated the primary purpose of the code of ethics is to insure that there is civility, transparency and professionalism as the public business is discussed. He further stated it also sets standards in terms of a recognition that we do live in a democracy and that we need to be respectful on various points of view on various issues. The code has 16 principles and City Council adopted them on February 3, 2015

and then at the following meeting the City Council publicly each Council Member signed his copy of the code of ethics. It is also being required that the Boards, Commissions and Committees at their meetings agendas consider the Code of Ethics and they also publicly sign the code of ethics for a commitment across the City Government and will adhere to certain standards of conduct.

Steve Boehmer stated first item is the consideration and second item adoption of the resolution. He stated there are first amendment rights the Mayor and the Council have and Government Code Section 30813 authorizes the Council to adopt the code of ethics and quoted that “The Council may punish a member or other person for disorderly behavior at a meeting” and pointed out the Government Code recognizes that right.

Karla Flores, 802 Emilia Drive in support of Item No. 16. She stated that she was very surprised on the conduct of council members. She stated that if the Council treated themselves with respect this would not be happening.

The following persons submitted form in favor of Item No. 16 but did not wish to speak:

Mario Rojo, Eduardo Rojo, Oscar Gastelum, Fernando Gurrula, Salvador Munoz, Maria Teresa Montañó, Abelardo Perez, Luis Gutierrez, Abel Perez.

Maribel Padilla in favor of Item No. 16. Read formal letter of complained filed with the City on March 16, 2015. She requested that Mr. Castro be reprimanded and censored.

Ben Horton stated he is appalled with the situation. He stated that for every action there is a reaction and no one is above the law or the rules. He stated he is in favor of Item 16 even though this is not the best for the image of Calexico however it says Calexico manages its own.

The following persons spoke in opposition to Item 16:

Javier Gonzales, 236 Hernandez stated his opposition of this item and stated he has worked with all commissions for the past year and stated that for the past year they have been under attack. He stated that he was part of the Economic Development Commission and that for the last year the commission only met once. He stated the Mayor has allowed the public to attack the council for the past three years and asked if there were backroom deals to bring them forward. He stated he suggested an ethics committee and council voted it down. He stated there was a need for an audit and the council voted it down. He stated to forget about this, go in a room and fix this. He stated he was upset because he knew it was going to happen. He asked the Mayor and Council members work together for the benefit of the City. He stated he would resign from the Finance Commission and was going to dedicate his time to the Wetlands project because his family does not need to receive threats and accusations.

Council Member Hurtado spoke about the differences the Council feels the City should be governed and in many trainings there is always talk about a pact to look for a way for solutions. She stated that complaining about what happens and who attacked who will not get us towards a better goal. She spoke about the difficulties she underwent during the past election and when she comes to the meeting, she has to be professional and forget and focus on solutions. She stated the

City needs solutions and therefore the City established the code of ethics. She spoke about workshop and everyone concurred that there has to be changes to the image of the City. She stated there has to be accountability for the actions that took place and expressed her the support of this item.

Council Member Kim commented on putting our energy to benefit the community. He spoke about harassment from the public because they have different views. He stated everyone has the right to speak but not to harass. Mayor need to stop the community from attacking and mocking the council. He asked that the council be more professional and not hurt others feelings and treat each other better.

Mayor Moreno stated he uses wit and sometimes poke fun at situation for comic relief at a situation and in no way intended to disrespect Mr. Castro. He felt this may have been a misunderstanding.

Council Member Real told Mayor Moreno it is good to have some wit. He stated some of the meetings tend to get out of hand but as an elected official we have to have professionalism and the seat has to be respected. As far as the joking or wit, he stated he has not the Mayor say anything offensive to Mr. Castro or Mr. Kim. He stated maybe the language barrier could be a factor. He stated he thought a lot about this and that all Council Members signed the code of ethics but thought that taking away his appointments is taking it too far. He stated he believed something has to take place so we know what can happen if we cross that line and yell at a citizen or get out of hand. He stated that if they are not careful, this could divide them further. He stated his support for a warning but he was not supporting taking Council Member Castro's appointments.

Mayor Pro Tem Kim pointed out that Councilman Real humiliated him and Council Member Castro by saying they have a language barrier.

Council Member Castro spoke about the video where Maritza Hurtado and Maribel Padilla interrupted him several times. He stated he was asking a questions regarding retirement and the Mayor did not let him finish his question. Council Member Castro read a letter and read statements from Facebook written by Maribel Padilla. He stated there are several letters on Facebook written by Maribel Padilla. He stated that in his position as a Council Member, he respects the people, colleagues and that time, he was harassed by the people that he mentioned and the Mayor who was laughing and did not let him finish. He stated that if he made a mistake by calling the Mayor a clown than he can say to him "I'm sorry". He stated he knows how to win and to lose and he is a very mature person. He stated he respects women and tries not to get involved with them and this is why he did not pay attention to the letters. He stated that in his position as a council member for the past six years, he understands we can agree to disagree.

Mrs. Norma Aguilar commented on Council Member Castro mentioning her as one of the persons who recorded him and clarified she had never recorded Council Member Castro.

Mayor Moreno clarified that he allowed him Council Member Castro to ask his question after the first time he called him a clown but after the second time he called him a clown, he then called for a point of order and then for a recess.

Council Member Real asked for clarification from City Manager or the City Attorney on whether this would be voted on as one and two separately and what is the resolution.

City Manager explained that by law, the City Council cannot remove a member of the Council and cannot take away his pay. He stated the Council is limited to a reprimand or a censure, should you decide to do it. The Council has the power to take away assignments and give them to other people and this is the limit. The Council cannot prevent him from speaking at a meeting, or turn off his microphone. He stated that basically the Council could censure him and he advised that a censure is a reprimand and this is what the resolution does. City Manager stated the Resolution has two parts, one is the reprimand and censure him and the other is to take away duties and if the Council decided to just do the reprimand and censure you would strike from the resolution the section on taking away the assignments.

Council Member Real asked if the censure was a type of warning. City Manager stated it is a reprimand.

City Attorney Boehmer clarified that the censure is a public reprimand and does not take anything away from him.

Mayor Pro Tem Kim stated the agenda has in it to censure and it is striking him of all City Council assignments. City Manager Warne advised him the Council did not have to do both things.

Steve Boehmer stated the public censure is nothing more than a public reprimand and on page four of the Code of Ethics there is a remedy section that gives the City Council the discretion to impose sanctions including a public reprimand or censure. It also states that the Council can also remove a members from boards and commissions from office. He stated the Council has the discretion to do one or the other and the resolution is crafted and you can simply strike the section of taking away any type of duties and responsibilities if this is the Mayor and Council's election by way of motion.

Mayor Moreno stated the Council has been through a lot, we are all human and make mistakes but, we need to learn from the mistakes made so we do not continue making them. He stated he hoped we have learned something from what has happened today and at the previous meeting. He stated our behavior must be beyond reproach at these meetings and we must respect one another. He stated that we are human and make mistakes and can realize and recognize and move forward. We need to learn from the mistakes made.

Mayor Moreno made a motion to consider this violation of the Code of Ethics only. Motion was seconded by Council Member Hurtado.

Mayor Pro Tem Kim stated Council Member Castro broke his patience and understands his position because he was provoked and believed it was not all his fault.

It was asked if Council Member Castro would offer an apology to the Mayor and Mrs. Padilla. Council Member stated he had apologized to the Mayor.

Council Member Real asked if Council Member Castro was offering an apology. He further stated we all make mistakes but as Council Members they have to have a thick skin and should not yell or make gestures to the public. He felt that Council Member Castro could not hold back and he felt that they need to endure due to their positions and give an apology.

Council Member Castro apologized to the Mayor Moreno

Mayor Moreno called for a five minute recess at 9:35 p.m.

City Council returned from recess at 9:40 p.m.

Mayor Moreno stated he has shaken hands with Councilman Castro and rescinded his motion to censure Councilman Castro.

APPOINTMENT OF A COUNCIL DELEGATE TO THE NEW RIVER COMMITTEE BOARD.

Mayor Moreno motioned to appoint Council Member Hurtado as delegate to the New River Committee Board, Motion was seconded by Council Member Real and passed unanimously.

APPOINTMENT OF COUNCIL MEMBER TO THE IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT ADVISORY BOARD.

Mayor Moreno made a motion to appoint Mayor Pro Tem Kim to the Imperial County Air Pollution Control District Advisory Board. Motion passed unanimously.

APPOINTMENT OF A RESIDENT COMMISSIONER TO THE CALEXICO HOUSING AUTHORITY.

Motion was made by Council Member Hurtado to table the item. Motion was seconded by Council Member Real and passed unanimously.

APPOINTMENTS BY MAYOR AND COUNCIL MEMBERS TO VARIOUS COMMISSIONS:

A) MAYOR MORENO - FINANCIAL ADVISORY BOARD

Mayor Moreno appointed Mr. Alex Perrone to the Financial Advisory Board.

B) COUNCIL MEMBER REAL - ECONOMIC DEVELOPMENT COMMISSION AND STREET NAMING COMMITTEE

Council Member Real appointed Ms. Belinda Alvarado to the Economic Development Commission.

Council Member Real did not have an appointment to the Street Naming Commission.

APPOINTMENTS TO THE CALEXICO SENIOR CITIZENS COMMISSION:**A) MAYOR PRO TEM KIM: (1) SENIOR CITIZENS COMMISSION**

It was clarified that Mayor Pro Tem Kim could appoint Mrs. Hilda Bowen since the Ordinance No. 1159 did not go into effect until March 5, 2015 and he appointed on March 3, 2015.

B) COUNCILMAN CASTRO: (1) SENIOR CITIZENS COMMISSION

Council Member Castro will appoint at the next Council meeting.

C) CITY COUNCIL BY MAJORITY VOTE (2) SENIOR CITIZENS COMMISSION (RESIDENTS LIVING IN SENIOR CITIZEN COMPLEXES IN THE CITY)

Mayor Pro Tem Kim requested to re-advertise the position for another 10 days. Place signs at senior citizens complexes.

Council Member Hurtado announced an opening on the historical commission due resignation on behalf of her commissioner.

INFORMATIONAL ITEMS**ACKNOWLEDGE RECEIPT OF BUSINESS IMPROVEMENT DISTRICT MEETING MINUTES FOR DECEMBER 10, 2014, JANUARY 21, 2015 AND FEBRUARY 5, 2015.**

City Council acknowledged receipt of Informational Items.

ADJOURNMENT

There being no further business, Meeting was adjourned at 9:50 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 6TH DAY OF DECEMBER 2011 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 5:30 p.m. by Mayor Castro.

ATTENDANCE

Mayor: Luis J. Castro
Mayor Pro Tem: Daniel F. Romero
Councilwoman: Maritza Hurtado
Councilman: Bill Hodge
Councilman: John M. Moreno

City convened in Closed Session to discuss the following:

A. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Pursuant to GC section 54956.9(a)- (1 case)-(Case name unspecified due to the potential to jeopardize negotiations

B. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Pursuant to GC section 54956.9(a)- (1 case)-(Case No. 08 CV 1952 JAH (PCL)

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

City Council reconvened from Closed Session at 6:25 p.m. City Attorney Lyon reported Items A through C discussed. Direction was given, nor reportable action taken.

REGULAR SESSION 6:30 P.M.

The regular session portion of the agenda was called to order at 6:30 p.m. by Mayor Castro and Councilwoman Hurtado led those present in the Pledge of Allegiance.

ATTENDANCE

(All Council Members were present: Castro, Romero, Hurtado, Hodge, Moreno)

APPROVAL OF AGENDA

Mayor Pro Tem Romero motioned to approve the Agenda. Motion was seconded by Councilman Moreno for discussion.

Councilman Moreno requested to move the announcements and public comments portion of the agenda to the end of the meeting. Mayor Pro Tem Romero amended his motion to move the announcements and public comments portion of the agenda to the end of the meeting. Amended motion was seconded by Councilman Moreno and passed by the following vote to wit:

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

Motion was made by Mayor Pro Tem Romero to also move the Council Comments to the end of the meeting. Motion was seconded by Council Member Moreno and passed unanimously.

PRESENTATIONS:**PRESENTATION BY CALEXICO PARENTS ATHLETIC LEAGUE REGARDING THE LEAGUES ACTIVITIES THROUGHOUT 2011.**

Ivan Figueroa requested support from the Council to repair the spaces and parks used by the Soccer League.

Vincent Meza, Eagles 92231 requested support from the Council for the children playing soccer.

Mrs. Carmen Estrada provided a video presentation on the Calexico Parents Athletic League activities for 2011. She requested assistance from the City Council to repair the parks so the children can practice and play soccer.

CONSENT AGENDA

Mayor Castro pulled Item No. 3 - Acknowledge receipt of Financial Reports for the month of September, 2011 for discussion.

Councilman Moreno Motion made a motion to approve Consent Agenda consisting of the following: Acknowledge receipt of Financial Reports for the month of July, 2011; Acknowledge receipt of Financial Reports for the month of August, 2011; Acknowledge receipt of Financial Reports for the month of October, 2011; Acknowledge receipt of Business Improvement District minutes for September 7, 2011, September 15, 2011, September 28, 2011, September 29, 2011, October 12, 2011; Adopt ordinance by title only, waive full reading of an ordinance amending Chapter 2.02 "City Manager" of the Calexico Municipal Code; Adopt Budget Amendment Resolution for Streets Department; Adopt Resolution supporting Imperial Valley University

Partnership between San Diego State University and Imperial Valley College; Rescheduling City Council meetings for the month of January, 2012. Motion passed unanimously.

ITEM NO. 3. ACKNOWLEDGE RECEIPT OF FINANCIAL REPORTS FOR THE MONTH OF SEPTEMBER, 2011.

Mayor Castro asked Mrs. Hashem to read Page 2 – Paragraph 6, General Fund Balance. Mrs. Hashem read the paragraph and explained it was related to the general liability premium which is being allowed to be paid in annual payments.

Mayor Castro commented on the \$ 963,000 due and asked when this would be paid. Mrs. Hashem explained it is up to the City how it is paid, whether in a lump sum or in payments. She also recommended funding this expense and hopefully pay before December 2012. After 2012, the balance will begin to incur fees.

City Manager stated these are liabilities not uncommon to cities and because of the smoothing process used in the past where they were trying to level off the payments. JPIA then decided to do away with it and many agencies now have money that is due. What we will try to do is use the same formula but over the long term because we are not in a position right now to pay the full amount, so you basically finance it over the longer term and pay it as you move along and with the Economic situation now we need to spread out the payment for the long term.

Mrs. Hashem spoke about the retiree fund and explained the majority is general fund however, not all of it is general fund. She stated this is not recorded in the financial statement yet GASB has not yet required it be recorded in the financial statement and this does not mean we don't own it. She stated the City has to fund it and the \$16 million covers City employees. If this was funded every year, we would be funding it.

Mr. Joong Kim asked if the City owed the \$ 963,000.00 for 2011-2012. Mrs. Hashem explained this amount is a past liability for prior years. Mr. Kim then stated that if the balance sheet states we have a positive \$ 800,000, in reality, we are still in the minus. Mrs. Hashem explained the \$ 811,000 ending balance was the cash balance on the balance sheet and it includes the liability which has been set up and in our fund balance, it has been expensed out but it showing as a liability because it hasn't been paid out of cash. We can pay at once or fund it over the course of 3-5 years. She stated that if the City were to pay the \$963,000 today it would place us at a negative. Mr. Kim stated the City still owes a lot of money and stated the books show \$ 800,000 positive when it is negative. She explained it is similar to a charge account. Mrs. Hashem explained the City has cash of \$800,000 and bills to be paid in the future.

Motion was made by Council Member Moreno, seconded by Mayor Pro Tem Romero and passed unanimously to acknowledge receipt of Financial Reports for the month of September, 2011.

PUBLIC HEARING

PUBLIC HEARING TO ASSESS A BUSINESS IMPROVEMENT DISTRICT FEE AND ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO ASSESSING THE LEVY OF THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2012.

City Manager Rodriquez explained the requirements for assessing the levy of \$100.00 for the downtown parking and business improvement district for calendar year 2012. He explained there were no changes in the amount of the \$100 per calendar year per business and do not propose to change the boundaries of the district. He stated there is a requirement to 36500-36537 require submittal of an annual report stating the activities for the past year and projections for the following fiscal year. He stated the report must also include the projections on the usage of funds and where the funds come from. He advised that from calendar year 2011 to the new calendar year 2012 it is estimated \$35,000.00 will be carried over and it includes amounts from other sources such as fees paid for booth rentals, promotional sponsorships, in-kind sponsorships and BID assessment. Plus there is \$ 40,000.00 from the BID assessment from 400 businesses at \$100.00 per business for a total budget of \$ 75,000. City Manager requested Council to hold a public hearing to receive comments and protests on this matter.

Mayor opened the Public Hearing at 7:15 p.m.

Morris Reisin spoke in favor and about the activities held by the Business Improvement District throughout the year to promote the downtown and help the City to maintain a clean and safe downtown.

Mayor closed the Public Hearing at 7:20 p.m.

Councilman Moreno requested clarification what the funds will be utilized on promoting and cleaning the downtown. City Manager Rodriquez stated it would be used for these purposes and help the businesses.

Councilman Moreno made a motion to approve the Resolution Assessing the Levy of the Downtown Parking and Business Improvement District for Calendar Year 2012. Motion was seconded by Mayor Pro Tem Romero and passed unanimously.

APPOINTMENT OF TWO COUNCIL MEMBERS AS REPRESENTATIVES FOR NEW PORT OF ENTRY MEETINGS.

John Renison, Supervisor District 1, explained the two members named tonight would meet with him and two County Supervisors and Bob Ham, Director of Intergovernmental Relations to discuss the proposed Public Private Partnership.

Council voted unanimously to appointed Mayor Pro Tem Romero and Council Member Hurtado as representatives for New Port of Entry meetings.

REMOVAL OF ARTS COMMISSIONER FERNANDO MARTINEZ BY COUNCILMAN MORENO.

Councilman Moreno reported Mr. Martinez had not attended Arts Commission meetings for five meetings and was removing the Mr. Martinez and advertise the vacancy.

PROPOSED ORDINANCE BANNING MEDICAL MARIJUANA DISTRIBUTION FACILITIES.

Jennifer Lyon, City Attorney explained the City Council adopted a moratorium banning medical marijuana distribution facilities in May 2010. She explained moratoriums can only last for two years and Council is now being presented a draft ordinance to ban medical marijuana distribution permanently. Ms. Lyon stated that since banning dispensaries will require a change to the City's zoning code, the City Council will need to refer this item to the Planning Commission. The Planning Commission will then hold a public hearing and afterward will forward its recommendation to the City Council. The Council would then hold a first and second reading. Ms. Lyon provided the latest significant developments involving medical marijuana. She stated there is State law which states cities can ban medical marijuana facilities.

Ms. Lyon reviewed the following three proposed options:

1. Sending the Planning Commission a Request to Evaluate Banning Dispensaries.
2. Sending Planning Commission a Request to Consider Regulating Dispensaries
3. Allowing the Moratorium to Expire without Action and go with our municipal code that states it is not allowable.

Ms. Lyon recommended the explicit ban rather than what has been drafted. Discussion ensued on the various options and trends throughout the state on this subject and local authority decisions are being upheld by the courts.

Councilman Hodge commented on the Federal Government becoming more aggressive on the matter. Ms. Lyon stated it is a concern and the City does not want to be in violation of federal law.

Motion was made by Councilman Moreno to approve the Resolution of the City Council for the City of Calexico Requesting the Calexico Planning Commission to Evaluate and Report on an Ordinance Amending the Calexico Municipal Code to Prohibit Medical Marijuana Dispensary Facilities. Second by Mayor Pro Tem Romero and passed unanimously.

CONSIDER ADOPTING AN ORDINANCE CHANGING THE DATE OF THE CITY OF CALEXICO GENERAL MUNICIPAL ELECTION, AND A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS TO THE COUNTY OF IMPERIAL TO RENDER SPECIFIED SERVICES TO THE CITY RELATED TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION, AND REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE STATEWIDE ELECTION AND COUNTY ELECTION TO BE HELD ON NOVEMBER 6, 2012.

Motion was made by Mayor Pro Tem Romero to continue the adoption of the ordinance for the next City Council Meeting. Motion was seconded by Councilman Moreno and passed unanimously.

Louis Fuentes requested the Council consider changing the election to the month of November so the City has higher civic participation.

Oscar Gonzalez felt democracy is not meant on saving money and spoke in favor of holding the election in June.

CONSIDER ADOPTING A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2012, FOR THE PURPOSE OF SUBMISSION OF A BALLOT MEASURE TO THE VOTERS RELATED TO CHANGING THE STATUS OF THE CITY CLERK AND CITY TREASURER FROM ELECTED TO APPOINTED.

Jennifer Lyon stated this item would also need to be continued to the next Council Meeting.

Item was tabled to the next City Council Meeting.

ACKNOWLEDGE RECEIPT OF REPORT ON DOWNTOWN LANDSCAPING/CLEANING SERVICE.

Oscar Gonzalez spoke in favor of November 3, 2011, submitted a request to Erica to place this item on agenda to vote on obtaining funds from Measure H, General Funds or Redevelopment Agency. Mr. Gonzalez spoke in favor of the Landscaping Company.

Council acknowledged receipt.

ANNOUNCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

Mr. Fernando Zavala, Spectrum provided a public apology regarding the recording the November 15, 2015 meeting and the technical issues encountered by Spectrum with the final item recording of the meeting.

Mr. Daniel Chairez thanked Ms. Maritza Hurtado for attending the Planning Commission Meeting and stated he hoped the other City Council Members could also attend their meetings.

Horacio Avalos requested assistance from the Council to make repairs at the Rockwood Plaza restrooms which are in very bad conditions. He reported there are people sleeping in the restrooms and there is no light and it is a negative aspect for the City. He also requested for more police protection since there are children present.

Nick Servin, Public Works Director stated he would work on this issue. Mayor stated this needs to be fixed soon since the children from the surrounding schools do use the facility and the Christmas Parade is coming up.

Mr. Joong Kim commented on moving the announcements and public comments to the end of the meeting and did not appreciate to have public to have to wait to the end of the meeting. He read a written statement as follows:

I, Joong Kim, 803, Holdridge Street, Calexico, CA. He stated that as American citizen he expressed sincere concern for action taken by three Council persons. The three City Council persons agreed to go to the Special School Board Meeting of November 29, 2011 and complain to the school board during the public comments about his speaking at the City. He stated his concern as follows:

- 1) Three members of Council who broke the Brown Act by agreeing between themselves to go and complain. He does not object for them going to complain. He stated he encouraged the parents to get involved. But he is concerned when three Council persons break the Brown Act. This is an illegal act by the three Council persons.
- 2) Special concern is over the three Council person's attempt to stop him from speaking at the Council meeting. He stated he followed all the rules set by the Council and he has the right and duty to speak and make his opinion known, good or bad.
- 3) If the three council persons along with the City Manager and City Engineer went to intimate him to try to get him not to speak, they did not succeed. He stated that as a citizen he has the right to speak and not to be censured by you. You have already tried to censure the Mayor and others but will not succeed. Thank God we live in the United States of America.

Council Member Moreno clarified he was not the third City Council person, he stated he was in the roll of School Administrator and had no idea his colleagues would show up. To correct the record, he was there as a School Administrator, not as a City Council Member.

Mayor Pro Tem Romero also clarified that he did not know that Council Member Moreno, City Manager and City Engineer would be present and stated Mr. Kim was confusing and did not have his facts correct.

Council Member Hurtado also clarified that the fact that she went to speak had nothing to do with his colleagues. Insinuation was not appreciated and stated Mr. Kim's facts were not correct.

Mr. Kim stated they spoke about City Council business and three should not be there.

City Manager Rodriguez stated he attended the meeting as City Manager who has a duty to try and move the community forward. He stated that when the School could be taken over by the State, it is very important to our community. He further stated that he, as City Manager, need to be informed as to what is going on in order to move development within the community and to save employment in this community and this is the reason he was there.

Mrs. Carmen Estrada, CPAL, spoke about the lacks needed in the parks. She advised that they adopted four parks and planted forty trees and have problems with growing of grass. She advised that Border Patrol will support them with the installation of public lights from 4:00 p.m. to 10:00

p.m. She spoke about installation of lights at three parks and requested assistance from Engineering to assist them with the installation.

Mayor Castro asked for the print out of the parks. City Engineer Servin stated he was not aware of lights at 5th and Andrade but he would be more than happy to work with her.

Diana Cortez, Beautification Commissioner stated her concern over the parks in bad conditions. She stated the commission needs volunteers and are reaching out to the community to adopt parks. She stated the City has not lent the support needed so the trees can grow. She expressed her frustration when the persons who cooperate see that the City is not supporting their efforts. She asked the Council for support of CPAL and other efforts to try and have a place for the children to play sports.

Council Member Hodge stated people keep coming up to speak about the bad conditions of the parks. He asked for an action plan to get the parks in better conditions and stated this should be a high priority.

Mayor Castro asked the City Manager if there were any plans for the parks. He stated he has stopped by the parks and retention basins and he receives many calls about the conditions. He felt it was a shame that the children are playing in the dirt and this has been happening for over a year. He stated the need for a plan to give something good for the kids. He stated that the majority can see the condition of the parks and asked the City Manager to work on the parks.

Mrs. Carmen Estrada spoke in favor of City Manager Rodriquez and stated she has faith that he works and will continue to work with CPAL and there is another person who works for the City Manager who is making him look bad and she will help him find out who this person is.

City Attorney reminded the Council that this is public comments and if the item will be prolonged per the Brown Act, this should be placed on an agenda item for discussion.

Oscar Gonzalez spoke about the CCAC and purchase of the building and a conflict of interest with Mr. Romero.

Ben Horton spoke about the Boys Scouts and reported the City now has Boys Scouts in Calexico. Calexico is number one in members in the Imperial Valley. He informed that the National Organization allows members from Mexicali. Supporters of the program are the Imperial Valley Press and the Barbara Worth Country Club.

GENERAL COMMENTS BY CITY COUNCIL MEMBERS

Council Member Hodge asked for a Town Hall meeting addressing parks. Reminded on due diligent checklist standardized between the City and potential developers.

Council Member Moreno recommended that Councilman Hodge to be appointed to the Transportation Commission because he will not able to continue due to other commitments. He spoke about the death of Jose de Jesus Lepe and asked for recognition and memorial service for the family. He also asked about open space for school facilities and use of the parks, working with Measure H Committee for facility upgrade and work with the Recreation Commission, the School

District and CPAL. He stated he is looking forward to the Mayor's report on his trip to Washington, D.C.

Council Member Hurtado asked about the Sports Summit and restructuring of the sports program to address the many issues with the parks.

Sandra Tauler stated there are two parts; one the procedural part (forms, registering of the groups and finger printing of coaches) and two the sports summit which became an event to bring together all the sports groups in the community to learn about working with the children in the community. It will be a one day event working towards getting everyone informed and registered with the City. Sports Summit will be held on March 3, 2012 at Calexico High School.

Council Member Hodge commended and thanked Mrs. Tauler and her staff for their work with the Sports Summit.

Council Member Hurtado stated she attended the Planning Commission because it was regarding the Gran Plaza project. She also requested that Planning Commission Agendas be forwarded to the Council.

Mayor Pro Tem Romero clarified that he is not involved in the CCAC purchase and his wife is not involved at this time in the purchase of the property. He advised he attended the Farm Worker Breakfast and commended Mrs. Loli Torres for her work with the farm workers. He thanked the farm workers for what they do. He also commented on Mr. Kim's statement that the Council Members were at the School Board meeting to intimidate him and Mr. Kim's actions on not attending a crucial School Board Meeting held on November 15, 2015 and his duties as a School Board Member.

Mr. Kim stated public comments is not the time for council to attack the public and commented on his actions regarding School Board issues.

Mayor Pro Tem Romero spoke about Council Member Hodge's speech of November 15, 2015 where he made use of the word collusion when speaking about the Council. He also spoke about Council Member Hodge's questioning his integrity.

Mayor Castro spoke about discussions at the November 15, 2011 Council Meeting and stated he respects his fellow Council Members and will provide comments at the next meeting. He provided a report on his trip to Washington, D.C. He met with many influential people and informed on the transportation issues, trade and imports from Mexico and how to assist the small businesses on import and export along border communities in such projects as solar, medical device and help technology. In addition, Mrs. Janet Napolitano stated the House and Senate have concurred to provide Stone Garden funds to the tune of \$5 million to border communities by the end of December. She stated there would not be immigration reform and encouraged the police departments to look out for the grants. Mrs. Napolitano articulated two goals which are to decrease illegal activity and two to disrupt and dismantle illegal operations and provide the border patrol substantial staffing along the border. The American Job Act will be available for police and first responders and Border communities should advertise that we are open for business. It was reported

that border crimes are down. Cities provided the needs of the border towns and lack of service and crime along the borders. He thanked Chief Neujahr and Julia Osuna for their teamwork in Washington, D.C.

Council Member Hodge spoke about his use of the word collusion and he retracted it and stated he respects the Council especially Mr. Romero. He asked all Council Members to reflect that they work for the community.

FUTURE AGENDA ITEMS

Council Member Hurtado discussed visitors to the City going into areas that should be restricted from the general public. She requested a policy to discuss this matter and manage visitors to City facilities. She also addressed the need for a policy regarding public's request for use of City equipment. City Manager stated procedures are in process to address issues of security at City Hall and other facilities.

Mayor Pro Tem Romero requested for public comments and Council comments to be heard prior to adjournment of the meeting. Jennifer Lyon stated that this would require an amendment of the City Ordinance.

ADJOURNMENT.

There being no further business, motion was made by Councilwoman Hurtado, seconded by Councilman Hodge to adjourn meeting at 8:11 p.m.

Luis J. Castro, Mayor

Attest:

Lourdes C. Cordova, City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY MET IN REGULAR SESSION ON THE 5TH DAY OF OCTOBER, 2010 6:30P.M. AT THE CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

REGULAR SESSION – 6:30P.M.

CALL TO ORDER

The regular session portion of the agenda was called to order at 6:50p.m. by Mayor Moreno.

ATTENDANCE

Mayor: John M. Moreno
Mayor Pro Tem: Luis J. Castro
Councilman: Daniel F. Romero
Councilwoman: Maritza Hurtado
Councilman: Bill Hodge

PLEDGE OF ALLEGIANCE

Councilman Romero led those present in the Pledge of Allegiance

APPROVAL OF AGENDA

City Manager Victor Carrillo requested that Item No. 9 be pulled from agenda.

City Attorney Lyon informed the City Council and those present that Item A of the Closed Session was removed, therefore, the City Council did not meet in Closed Session.

Motion was made by Councilman Romero to approve the agenda, seconded by Councilman Hodge and passed by the following vote to wit:

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

ANNOUNCEMENTS/PUBLIC APPEARANCES/PUBLIC COMMENTS:

Maria Rivera, 1113 Eady Avenue, Calexico, CA requested that the De Las Flores 80 unit apartment complex project be brought back to City Council for review of some documentation that she feels are very important and may revert City Council previous decision of June 28, 2010, to approve the project. Ms. Rivera provided documentation to the City Council and the City Manager for review.

GENERAL COMMENTS BY COUNCIL MEMBERS/RDA BOARD MEMBERS

Councilman Hodge inquired about resurrecting the Junior Council. He said that he had also requested information on employee time clock and the information is not on the agenda.

City Manager Carrillo informed Councilman Hodge that staff needs to meet with bargaining units because this falls under the Fair Labor Standard Act.

Councilman Hodge said that he appreciated having the minutes of the previous meeting.

Councilman Romero inquired if the painting of the streets comes out of Measure D funding. He said that there are some streets that are lacking striping.

PRESENTATIONS:

PRESENTATION BY PIONEERS MEMORIAL HEALTHCARE DISTRICT AND HEFFERNAN MEMORIAL HEALTHCARE DISTRICT

Pioneers Memorial Healthcare District Representative provided a PowerPoint presentation to the City Council and those present regarding the partnership and projects between Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District.

Mayor Moreno applaud the efforts made by both Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District in establishing 24/7 Urgent Care Center in Calexico. He also thanked Mayor Pro Tem Castro and Councilman Romero for being a part of the committee and moving this project along.

Councilwoman Hurtado asked which holidays will the Urgent Care Center be closed.

Pioneers Memorial Healthcare District Representative informed Councilwoman Hurtado that they will be closing Thanksgiving and Christmas Day but it is negotiable between staff and administration.

Councilman Romero stated that this project is another measure of how the Heffernan Memorial Healthcare District is trying today something for the community. He thanked both Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District for listening to the needs of Calexico and making it happen.

GENERAL FUND DEPARTMENTS

CONSENT

Motion was made by Councilman Romero, seconded by Councilwoman Hurtado to approve consent agenda consisting of the following: Adopt resolution related to April 4, 2010, earthquake and aftershocks and ratification of various emergency actions: A) Approving declaration issued by City Manager related to the earthquake emergency; B) Declaring the continuing existence of the local emergency; suspending the public bidding requirements; and ratifying the expenditures and contracts by the City Manager since April 4, 2010, motion passed by the following vote to wit:

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

BUSINESS ITEMS

ITEM NO. 2 – CESAR CHAVEZ BLVD. IMPROVEMENTS PROJECT DESIGN AND ENVIRONMENTAL SERVICES AGREEMENT AWARD

Motion was made by Councilman Romero to award agreement to KOA Corporation for design and environmental work services for the Cesar Chavez Blvd. Improvement Project and authorize City Manager to execute contract. Motion seconded by Mayor Pro Tem Castro and passed by the following:

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

ITEM NO. 3 – RESOLUTION SUPPORTING IMPERIAL VALLEY COLLEGE – YES ON MEASURE J

Robert Rubio, Calexico Chamber of Commerce and Imperial Valley Joint Chamber of Commerce, 1125 Paseo Camino Real, Calexico, CA stated that he is in support of Measure J and requested that City Council adopt the resolution presented tonight supporting Measure J.

Motion was made by Councilman Romero to adopt resolution supporting Imperial Valley College – Yes on Measure J. Motion seconded by Mayor Pro Tem Castro and passed by the following:

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

ITEM NO. 4 – RESOLUTION IN SUPPORT OF “BUSINESS FRIENDLY PRINCIPLES” AS PART OF SCAG’S DEVELOPMENT OF A SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY

Motion was made by Councilman Romero to adopt resolution in support of “Business Friendly Principles” as part of SCAG’s development of a Southern California Economic Growth Strategy. Motion seconded by Mayor Pro Tem Castro and passed by the following:

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

ITEM NO. 5 – RESOLUTION ACKNOWLEDGING AND CONGRATULATING HEFFERNAN MEMORIAL HEALTHCARE DISTRICT AND PIONEERS MEMORIAL HEALTHCARE DISTRICT FOR PARTNERING TO PROVIDE 24-HOUR URGENT CARE SERVICES IN THE CITY OF CALEXICO

Motion was made by Councilman Romero to adopt resolution acknowledging and congratulating Heffernan Memorial Healthcare District and Pioneers Memorial Healthcare District for partnering to provide 24-Hour Urgent Care services in the City of Calexico. Motion seconded by Mayor Pro Tem Castro and passed by the following:

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

ITEM NO. 6 – RESOLUTION IN SUPPORT OF PROPOSITION 22, THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

Motion was made by Councilman Romero to adopt resolution in support of Proposition 22, The Local Taxpayer, Public Safety and Transportation Protection Act of 2010. Motion seconded by Mayor Pro Tem Castro and passed by the following:

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

ITEM NO. 7 – RESOLUTION ADOPTING AN OPEN DOOR POLICY

Councilman Hodge requested that the title be changed to open communication policy instead of open door policy.

Councilman Romero requested that this item be tables until the resolution is directed to Councilman Hodge intent. He stated that he has concerns with the language that is currently being presented to City Council.

City Council tabled Item No. 7 in order for staff to revise the language and requested that it be brought back to City Council on the next City Council agenda.

ITEM NO. 8 – DISCUSSION REGARDING AMENDING SECTION OF THE CALEXICO MUNICIPAL CODE RELATED TO SPEAKING RIGHTS OF COUNCIL MEMBERS (CMC 2.04.110) AND PRESIDING OFFICER (CMC 2.04.080)

Norma Aguilar, 839 Heber Avenue, Calexico, CA stated that in the Robert Rules of Order it stipulates “motion to end debate” and not “call for the question.”

Motion was made by Councilman Romero to approve amending section of the Calexico Municipal Code related to speaking rights of Council Members (CMC 2.04.110) and Presiding Officer (CMC 2.04.080). Motion seconded by Mayor Moreno and passed by the following:

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

ITEM NO. 10 – RESIGNATION OF BEAUTIFICATION COMMISSIONER CASSANDRA VALENZUELA AND APPOINTMENT OF REPLACEMENT COMMISSIONER BY COUNCILMAN HODGE

Councilman Hodge appointed Jose Angel Esparza to the Beautification Commission.

INFORMATION

ITEM NO. 11 – 2010 LOCAL AGENCY BIENNIAL NOTICE

City Council acknowledged receipt of 2010 Local Agency Biennial Notice on September 29, 2010.

ENTERPRISE FUND DEPARTMENTS

CONSENT

Motion was made by Councilman Romero, seconded by Councilman Hodge to approve consent agenda consisting of the following: Ratification of Agreement Signed by City manager with Cora Constructors, Inc. for Construction Services to Repair the 10.0 MGD Clarifier at the Water Treatment Plant – damaged caused by April 4, 2010 earthquake, motion passed by the following vote to wit:

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

FUTURE AGENDA ITEMS

Councilwoman Hurtado requested to continue future review of the budget.

Councilman Hodge requested an agenda item of all revenue and monies received by the City in the form of electronic transfers and/or checks must be verified in advance prior to being received. He said that the City is still in a financial crisis and requested an agenda item to receive monthly revenue and expenditure reports by City Manager and Department Heads. In addition, he requested a timeline from the City Manager as to when the City will overcome the financial crisis.

Mayor Pro Tem Castro requested to revise the De Anza Hotel Limited Partnership loan agreement.

Councilman Romero requested an agenda item on the appointment of Police Commissioner.

Mayor Moreno inquired if the goals and objective workshop was scheduled for next week.

City Manager Carrillo informed Mayor Moreno that it is being scheduled for the last week of October.

ADJOURNMENT

There being no further business the meeting adjourned at 8:05p.m.

John M. Moreno, Mayor

Attest:

Lourdes Cordova, City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY MET IN SPECIAL SESSION ON THE 5TH DAY OF OCTOBER, 2010 6:30P.M. AT THE CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

SPECIAL SESSION – 6:30P.M.

CALL TO ORDER

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

ATTENDANCE

Mayor: John M. Moreno
Mayor Pro Tem: Luis J. Castro
Councilman: Daniel F. Romero
Councilwoman: Maritza Hurtado

ABSENT

Councilman: Bill Hodge
(Councilman Hodge arrived at 6:32p.m.)

PLEDGE OF ALLEGIANCE

Councilman Romero led those present in the Pledge of Allegiance

APPROVAL OF AGENDA

Motion was made by Councilman Romero to approve the agenda, seconded by Councilwoman Hurtado and passed by the following vote to wit:

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

Councilman Hodge arrived at 6:32p.m.

ANNOUNCEMENTS/PUBLIC COMMENTS:

None

PRESENTATIONS:

PROCLAMATION RECOGNIZING FERNANDO “NENE” TORRES

Mayor Moreno read the proclamation recognizing Fernando “Nene” Torres. Mayor Moreno presented the proclamation to Mr. Torres family. He proceeded in giving a brief description of Mr. Torres family, accomplishments, interests and hobbies.

Councilman Romero gave a brief description of Mr. Torres family, accomplishment and interests. He said he would be greatly missed but never forgotten.

ADJOURNMENT

There being no further business the meeting adjourned at 6:44p.m.

Attest:

John M. Moreno, Mayor

Lourdes Cordova, City Clerk

**AGENDA
ITEM**

6

Department of Alcoholic Beverage Control

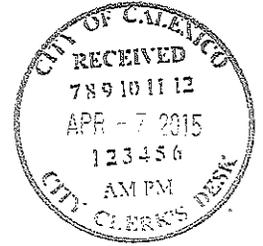
State of California

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
 34-160 GATEWAY DR.
 STE 120
 PALM DESERT, CA 92211
 (760) 324-2027

File Number: 555678
 Receipt Number: 2284988
 Geographical Code: 1302
 Copies Mailed Date: March 30, 2015
 Issued Date:



DISTRICT SERVING LOCATION: PALM DESERT
 First Owner: CROWN OIL INC
 Name of Business:
 Location of Business: 824 S IMPERIAL AVE
 CALEXICO, CA 92231-3116

County: IMPERIAL
 Is Premise inside city limits? Yes Census Tract 0121.00

Mailing Address: 703 PALOMAR AIRPORT RD
 (If different from STE 100
 premises address) CARLSBAD, CA 92011-1041

Type of license(s): 20

Transferor's license/name: 453613 / TESORO WEST COAST Dropping Partner: Yes___ No___
 COMPANY LLC

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
20 - Off-Sale Beer And Win	ANNUAL FEE	NA	Y	0	03/23/15	\$254.00
20 - Off-Sale Beer And Win	PERSON-TO-PERSON TRANSFER	NA	Y	0	03/23/15	\$50.00
NA	ISSUE TEMPORARY PERMIT	NA	N	1	03/23/15	\$100.00
Total						\$404.00

Have you ever been convicted of a felony? No
 Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? Yes
 Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of IMPERIAL Date: March 23, 2015

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

CROWN OIL INC