

**CALEXICO POLICE ADVISORY COMMISSION**  
**REGULAR SESSION**  
**APRIL 27, 2016**  
**6:00 P.M.**

Commissioners

German Jimenez, Vice-Chairperson  
Francisco Sanchez, Commissioner  
Joe Bielma, Commissioner

City of Calexico  
608 Heber Avenue  
Calexico, CA

Council Members

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

**\*\*\*AGENDA\*\*\***

**CALL TO ORDER AND ATTENDANCE**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**ANNOUNCEMENTS/PUBLIC COMMENTS:** Members of the public may address the Commission on any matter within the subject matter jurisdiction of the Calexico Community-Police Advisory Commission. Members of the public are also invited to address the Commission on any item on the agenda prior to action by the Commission on that specific item. Public comment will be limited to three minutes per individual for each item addressed. The aforementioned limitation may be waived by the Chairman of the Commission. (NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)

**ORAL REPORT BY INTERIM CHIEF REGGIE T. GOMEZ**

**COMMISSION REORGANIZATION:**

1. Appointment of Commission Chairperson.
2. Appointment of Commission Vice-Chairperson.
3. Appointment of Commission Secretary.

**CONSENT AGENDA**

4. Approval of Police Commission Minutes for Meeting of February 24, 2016.

**BUSINESS ITEMS**

5. Amendment of Police Advisory Commission By-Laws for the Purpose of Changing Commission Meeting Date and Time to the Fourth Wednesday of the Month.

**COMMUNITY ISSUES** (Public may present their issues/comments regarding the Police Department)

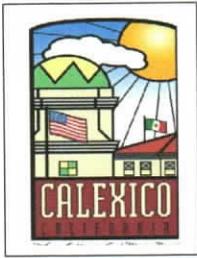
**INFORMATIONAL ITEMS**

6. Acknowledge Receipt of Commission Attendance Report.

**COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS**

**ADJOURNMENT**

**Deadline to Submit Items for Next Regular Meeting of May 25, 2016 is 5:00 p.m. on May 18, 2016.**



# Police Advisory Commission Agenda Staff Report

**DATE:** April 27, 2016  
**TO:** Police Advisory Commission Members  
**PREPARED BY:** Gabriela T. Garcia, Deputy City Clerk  
**SUBJECT:** Approval of Police Advisory Commission Minutes for Meeting of February 24, 2016

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**Recommendation:**

Approval of Police Advisory Commission Minutes for Meeting of February 24, 2016.

**Background:**

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

**Discussion & Analysis:**

Police Advisory Commission Minutes for Meeting of February 24, 2016 have been prepared for Commission review and approval.

**Fiscal Impact:**

None.

**Coordinated With:**

None.

**Attachments:**

Minutes for Approval of Police Advisory Commission Minutes for Meeting of February 24, 2016.

<p>AGENDA ITEM</p> <p><b>4</b></p>
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**THE CALEXICO POLICE ADVISORY COMMISSION MET IN REGULAR SESSION AT 6:00 P.M. ON THE 24<sup>TH</sup> DAY OF FEBRUARY 2016 AT THE 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.**

**CALL TO ORDER.**

The meeting was called to order at 6:06 p.m. by Council Member Real.

**ATTENDANCE**

Secretary: Guillermo Hermosillo  
Commissioner: Joe Bielma  
Council Member: Armando Real (*Sat in for his appointee*)

**ABSENT**

Chairperson James Beaver  
Vice-Chairperson: German Jimenez  
Commissioner: Francisco Sanchez

**PLEDGE OF ALLEGIANCE**

Commissioner Hermosillo led those present in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Motion was made by Commissioner Hermosillo, seconded by Commissioner Bielma to approve the agenda as presented. Motion passed by the following vote to wit:

AYES: Hermosillo, Bielma, Real  
NOES: None  
ABSENT: Jimenez, Sanchez, Beaver  
ABSTAIN: None

**ANNOUNCEMENTS/PUBLIC COMMENTS:** No Public Comments.

**ORAL REPORT BY INTERIM CHIEF REGGIE T. GOMEZ**

Chief Gomez reported it was brought to the attention of the Calexico Police Department that the following areas have become concerns of the community:

**Traffic Enforcement:**

In the 1200 block of Calle de Oro West, complaints of speeding vehicles have been reported and in the Kennedy Gardens area, speeding vehicles in or around the area have also been reported. In specific, a newer model white Ford Mustang has been reported.

Downtown parking enforcement is to become a priority for officers assigned to Beat Three areas. This should be a priority especially when Parking Enforcement Officers are not on-duty, (i.e. two-hour parking from 0230 hours to 0430 hours).

**Criminal Activity:**

In the area of Sixth Street and Paulin Avenue, suspicious people in the area have been reported. In addition to this, reports of theft at the construction site, located in the 0-99 block of East Sixth Street, have been made.

Effective immediately, officers shall take a courtesy theft report for all mail thefts. At the completion of the report, the report should then be forwarded to the U.S. Postal Inspector for follow up.

**Safety Issues:**

1. Officers should be extra vigilant to report all potential safety issues. For example, officers should report to the Shift Sergeant or OIC any of the following community safety issues:

1. Non-Functioning Street Lights
2. Faded Street Signs
3. Obstructed Traffic Signals
4. Non-Operational Traffic Signals
5. Dead Animals
6. Any other safety concerns

**As a Reminder to All Sergeants:** The beat system was designed to assist you in managing your shift by providing equal protection for all citizens in our community. Therefore, when feasible, officers should remain on their assigned beat in order to decrease the response time of any call for service. This will assure that in the case of an emergency, the officer assigned to that area will have a prompt response. Sergeants, OICs, and patrol teams must develop action plans on how to mitigate these community concerns. These plans should be communicated to the Operation Commander via the chain of command. After implementation, the Shift Sergeant will meet with the Operation Commander on a weekly basis to report the progress on resolving the concerns of the community.

**CONSENT AGENDA**

Motion was made by Commissioner Hermosillo, seconded by Commissioner Bielma to approve the Consent Agenda consisting of the following: Approval of Police Commission Minutes for Meetings of January 27, 2016. Motion passed by the following to wit:

AYES: Hermosillo, Bielma, Real  
NOES: None  
ABSENT: Jimenez, Sanchez, Beaver  
ABSTAIN: None

**DISCUSSION AND/OR ACTION ON REMOVAL OF JAMES BEAVER FROM THE COMMISSION CHAIRPERSON POSITION.**

Commissioner Hermosillo stated the issue is that Chairman Beaver takes too much of Staff time and this is costly. He stated the commission is here to recommend and for him to be calling the attorney and taking the City Manager and the Clerk's time is not good. He further stated Chairman Beaver reported the commission to the Fair Political Practices Commission (FPPC) to get the City in trouble.

Commissioner Bielma stated he brought this item to the commission and it is not personal with Chairman Beaver even if he wrote to FPPC, it was done when Chief Bostic was in office and he had every right to do this, but he put information on a Council Member that is not reasonable and he has acted on practices that are uncalled for. Commissioner Bielma stated Chairman Beaver kept asking him to remove himself from the commission and has spoken to the commissioners on this matter. Commissioner Bielma stated he has texts from Chairman Beaver where he is untruthful about the issues and questioned Chairman Beaver's credibility.

Commissioner Hermosillo stated he is more concerned on the time he takes from staff.

Commissioner Bielma stated Chairman Beaver was told by Chief Bostic not to do this and he keeps on such matters as the badges even though he was told by two chiefs that he could not have one. Commissioner Bielma pointed out he is acting out alone and the board should vote as a majority.

Commissioner Hermosillo stated that there is no need to take action because the commission will change officers next month.

Council Member Real stated it is bad enough the City Council is personal issues and the last thing he wants is for the commissions to have the same problems and felt politics should be left aside. He further stated that if the commission feels he should not be chair then it is the commission's prerogative.

Council Member Real reminded the commissioners that the City is in a financial crisis and everyone needs to be cautious with expenses.

He further commented the city is in a financial crisis and everyone needs to be cautious with expenses.

Commissioner Hermosillo stated the commission's items are not action items and commission just recommends.

Interim City Manager Fenley will check on how items are placed on agenda.

Commissioner Bielma commented on the by-laws being vague and the police commissioners appointed and are becoming more involved and hoped the City could work on some by-laws to present to the commission.

Council Member Real asked for a comparison between Calexico and other city's by-laws.

**NEW INTERIM CITY MANAGER'S INTERFERENCE WITH PAC DUTIES.**

Interim City Manager Fenley stated he met with Chairman Beaver personally and he did not mention anything on the matter.

**MAIL THEFT IN THE CITY OF CALEXICO.**

Chief Gomez stated there was one mail theft last month and one this morning and they look for cash, credit cards and personal information for identify theft.

Commissioner Bielma suggested getting together with the post office and work with the postal inspector on this matter.

Council Member Real stated maybe the post office has some stickers or posters regarding mail theft to post and advise the homeowners.

Chief Gomez stated the postal inspector website has tips on mail theft and there is a phone number listed where people can file complaints.

**COMMUNITY ISSUES** - None presented.

**ACKNOWLEDGE RECEIPT OF COMMISSION ATTENDANCE REPORT.**

Commission discussed the need for commissioners to attend to attend and stay through the entire meeting. Commission acknowledged receipt of the Attendance Report.

**COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS**

Commissioner Hermosillo asked Chief Gomez to look into restarting the PAL Program.

Council Member Real informed the PAL Program was done away with because it was not used in the right way, the department used asset forfeiture funds and the explorers were the ones utilizing the program and playing with officers and not the regular kids. He also stated he hoped to see a system where there are coaches for the kids in the program.

Commissioner Hermosillo commented on how the officers used to go to the different schools to sign up kids and only ones interested were the explorers. He further stated asset forfeiture money was used to restart the non-profit with \$1,200 and money was raised with sale of fireworks plus the HMHD funds were received and then returned.

Council Member Real asked if it was the appropriate time and if the department had the means to do it. He pointed out asset forfeiture money was donated to sports such as little league and soccer and he asked if this could be done. Chief Gomez informed him that if the students are considered at risk it is appropriate.

Commissioner Hermosillo advised PAL was dissolved by City Manager Carrillo due to the expenses submitted to the program. He stated the program would begin with at risk kids and this is why only explorers joined. He further stated he believed the program only spent the start-up money from asset forfeiture.

Commissioner Bielma felt there is a real need for the PAL to be brought back.

Council Member Real suggested either bringing back the PAL Program or the officers should get more involved with the youth.

Chief Gomez suggested a partnership with the CPAL.

Council Member Real stated he had spoken to former Chief Tabarez about using the boxing club for the program. He spoke about the CPAL program and their many programs for the youth.

Commissioner Bielma asked why the commissioners could not donate their time to start up the program since they have coaching and PAL experience. He stated he is working on an early football program and will be working with CPAL.

Council Member Real suggested Chief Gomez and Interim City Manager Fenley talk and provide the commission ideas and advise if there are funds available.

Chief Gomez stated the federal government has held all asset forfeiture funds for the entire nation.

Council Member Real stated boxing is very inexpensive and the program is very successful. He invited Chief Gomez and Interim City Manager Fenley to visit the boxing program. He only has one request and that is that the program must continue to be free to the community and the department needs to be involved with more community policing.

Commissioner Hermosillo asked Chief Gomez to possibly start a board to work on a future program.

### **FUTURE AGENDA ITEMS**

Commissioner Hermosillo: Discussion on the PAL Program.

Council Member Real congratulated the Chief Gomez and the Department for the implementation of the dummy car and asked how it was determined where the car goes and asked for a report on the decoy car for the next meeting. Chief Gomez explained the decoy car was set through a town hall meeting at the Kennedy Gardens, at 1225 Calle de Oro based on complaint by Mr. Escobar and another complaint at CN Perry. Chief stated he will drive around town in the white car to identify the risk areas.

Council Member Real requested an assessment on the department to include how many officers are on during the day and night and where Chief sees the Police Department in the future and what is considered a safe City and needed staffing for a functioning Police Department, the Reserve

Program and how it will work. He also requested information on safe minimal staffing. He addressed the issue with the raiteros that cannot be stopped.

Commissioner Bielma stated the Raiteros are cited with a \$400 ticket and this should maybe be \$700.

Chief Gomez cautioned this will incur overtime. Council Member Real asked for options on what can be done.

Commissioner Hermosillo suggested Chief Gomez limit the information given to the public with regards to the amount of officers on the streets for safety.

Chief Gomez stated there was a spike in Raiteros in December and January which has slowed down in February.

Commissioner Hermosillo addressed the safety issue with boarding a raiteros vehicle.

Chief Gomez stated what is stopping him is the staffing and the budget.

Council Member Real suggested a Raitero sweep and restart the PAL Program to help the youth.

**ADJOURNMENT**

There being no further business, meeting was adjourned at 7:16 p.m.

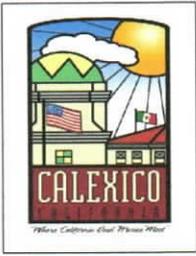
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Armando Real, Council Member

**ATTEST:**

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Gabriela T. Garcia, Deputy City Clerk



# Police Advisory Commission Agenda Staff Report

**DATE:** April 27, 2016

**TO:** Police Advisory Commission Members

**PREPARED BY:** Nick Fenley, Interim City Manager

**SUBJECT:** Amendment of Police Advisory Commission for the Purpose of Changing Commission Meeting Date and Time to the Fourth Wednesday of the Month.

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## Recommendation:

Staff recommends the Board approve an amendment to the Police Advisory Commission for the purpose of changing the date and time of holding of regular meetings to the commission meeting to the Fourth Wednesday of the Month at 6:00 p.m.

## Background:

Section 3. Regular Meetings states "The Commission shall conduct regularly scheduled monthly meetings. All meetings shall have an agenda posted in advance as per the California Government Code and Brown Act requirements. The Commission shall not take action nor shall it initiate discussion of its own, regarding any item not listed on the posted agenda. The meetings shall be conducted in an orderly and professional manner allowing due respect to all members of the public, police officers and city officials in attendance including fellow police commissioners".

## Discussion & Analysis:

Staff is requesting consideration from the Committee to make the change of previously established date of the last Wednesday of the month to the Fourth Wednesday of the month at 6:00 p.m. and include this as part of the commission by-laws. This will give the commissioners and staff stability in terms of holding monthly meetings as opposed to a floating date.

## Fiscal Impact:

None.

## Coordinated With:

City Administration.

## Attachments:

1. Police Advisory Commission By-Laws



# **BYLAWS FOR THE COMMUNITY POLICE ADVISORY COMMISSION**

## **ARTICLE I GENERAL PROVISIONS**

### **1.1 Established—Name.**

The Community-Police Advisory Commission is created and established. The term "commission" shall refer to such community-police commission. These By-las are intended to become procedures for the implementation of Chapter 2.56 of the City's Municipal Code.

### **1.2 Purpose of the Commission.**

The general purpose of the commission is to provide a forum for the receipt of citizen complaints brought by individuals against the city police department or any of its officers, and to provide recommendations to the police department designed to improve police department relations with the community.

## **ARTICLE II MEMBERSHIP**

### **2.1 Membership and Term of Office.**

The commission shall consist of five members. Members are appointed as follows:

- A. One member shall be appointed by each Council Member.
- B. The members appointed by individual Council Member shall hold office for a term identical to that of the appointing Council Member until the appointment of a successor.

## **ARTICLE III OFFICERS**

### 3.1 Organization and Officers.

The commission shall elect one of its members as chairperson, one of its members as vice-chairperson and one of its members as secretary, each of whom shall hold office for one year, or until a successor is elected. No officer shall be eligible to succeed herself/himself in the same office.

### 3.2 Compensation.

Members of the commission shall serve without compensation.

## **ARTICLE IV MEETINGS**

### 4.1 Regular Meetings.

The commission shall meet regularly once each month on the fourth Wednesday of the Month at 5:30 p.m. at the Fernando "Nene" Torres Council Chambers in City Hall 608 Heber Avenue, Calexico, California. Regular scheduled meetings must be posted 72 hours prior to meeting in accordance with the Brown Act (California Government Code Section 54952.3). The meetings shall be conducted in English whenever possible and in an orderly and professional manner allowing due respect to all members of the public, police officers and city officials in attendance including fellow police commissioners. If language interpretation is required by either the public or members of the commission during meetings, a translator should be provided to facilitate communication.

### 4.2 Special Meetings.

A special meetings may be called by three members of the Board. The meeting shall be called and noticed In accordance with the Brown Act (California Government Code Section 54952.3). Special meetings must be noticed 24 hours prior to meeting.

### 4.3 Quorum.

For the purpose of conducting business the committee of the whole shall have a quorum if a majority of members currently on the roster are present.

#### 4.4 Calling and Noticing of Meetings.

All Commission meetings shall be called, noticed and conducted in accordance to the "Brown Act" (California Government Code Section 54952.3) All meetings of the Commission shall be open to the public. The Commission shall not take action nor shall it initiate discussion of its own, regarding any item not listed on the posted agenda.

#### 4.5 Agendas and Meeting Notes.

All meetings of the committee of the whole shall be announced by a printed agenda, posted on the City's website, mailed or distributed to all members, staff and City Council Members at least three working days prior to the meeting. Regular scheduled meetings must be posted 72 hours prior to meeting, and special meetings must be noticed 24 hours prior to, meeting.

#### 4.6 Fifteen Minute Rule.

If the quorum has not been established within fifteen (15) minutes of the noticed starting time for the meeting, the Commission Clerk may be excused from further attendance at the meeting

#### 4.7 Recordings.

All public meetings shall be recorded, and meeting notes and attendance records shall be recorded by the Commission Clerk and forwarded to the City Clerk's Office. The City Council and City Manager may be forwarded meeting notes upon request.

#### 4.8 Agenda Item Requests.

The Commission Clerk shall be in charge of the placement of matters on the agenda. All matters to be placed on the agenda by City staff or Commission Members require approval by the City Manager and Chief of Police prior to placement on the agenda. Commissioners requesting items on the agenda must have a second from another commissioner.

#### 4.9 Minutes of Meetings - Clerical Assistance.

Written minutes of each meeting shall be completed in English and presented to the Commission at its following meeting for review, correction and approval. Original minutes of each meeting shall be delivered to the City Clerk for filing as part of the official records of the City, and copies of the minutes shall be distributed to members of the City Council. Such clerical assistance and secretarial assistance as are needed by the commission shall be provided by the office of the City Manager.

#### 4.10 Time Limits for Speakers.

Each member of the public appearing at a commission meeting shall be limited to three minutes in his or her presentation, unless the Chairperson, at his or her discretion, permits further remarks to be made. Any person addressing the commission may submit written statements, petitions or other documents to complement his or her presentation.

**ARTICLE V  
DUTIES AND AUTHORITY**

5.1 Commission Duties.

The commission shall have the following duties:

- A. To act as a liaison but not necessarily the only liaison, between the community, the police department and the City Council.
- B. To receive citizen complaints and transmit said filed complaints to the chief of police for investigation; upon investigation, resolution and disposition of the complaint by the chief of police, if the complaint disagrees with the disposition of the complaint by the chief of police, the commission may recommend to the City Council that the City Council direct further investigation. The City Council at its discretion, may direct further investigation including investigation by an outside agency.
- C. Complaints about individual Police Officers: The Police Advisory Commission shall receive citizen complaint presented to it regarding the Calexico Police Department or any of its officers. The public may also present these complaints directly to the Police Department. When complaints are presented to the Commission, the Commission shall carefully comply with the Police Officers Bill of Rights and will therefore receive any such complaint as expeditiously and professionally as possible. It shall immediately transfer the complaint to the form attached to these By-laws and then transmit the complaint to the
- D. Chief of Police for investigation. Upon investigation, resolution and disposition of said complaint by the Chief of Police, if the complainant disagrees with the disposition of the Chief of Police, then the commission may recommend to the City Council that it conduct further investigation including but not limited to, investigation by an outside agency. **The commission shall not investigate complaints nor conduct hearings. The Commission shall not take evidence.** Any such recommendation of the commission shall be transmitted to the City Council in a sealed envelope and the Commission will endeavor to protect the privacy of the individuals and the due process rights of officers.

5.2 Limitation on Authority

The Commission shall serve in an advisory capacity to the Chief of Police and the City Council. It shall have no independent duties and no authority to take actions that bind the City of Calexico. No expenditures or requisitions for service and supplies shall be made by the Committee and no individual member thereof shall be entitled to reimbursement for travel or other expenses except as authorized by the City Council.

5.3 Crime Prevention.

The Commission may discuss issues related to crime prevention and may make recommendations to the Chief of Police and to the City Council. The Commission must recognize that the final decision regarding implementation of any such recommendations will be made by the Chief of Police, the City Manager, and the City Council.

5.4 Cooperation from City Departments and Offices.

In carrying out its objectives, the commission shall receive prompt and full cooperation and assistance from all departments and offices of the City.

5.5 Actions Subject to Review by Council.

All actions of the commission are subject to review by the City Council upon the application for such review by any citizen.

**TITLE VI  
MISCELLANEOUS**

6.1 Effective Date.

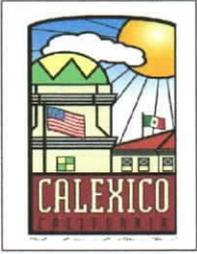
These By-laws shall be approved by the Police Advisory Commission at a regular meeting of the commission. Following approval by the Police Advisory Commission, said By-laws shall be presented to the City Council for adoption.

Police Advisory Commission approved By-Laws on \_\_\_\_\_, 2016

City Council Adopted By-Laws on \_\_\_\_\_, 2016.

6.2 Robert's Rules of Order.

All rules of order not herein provided for shall be determined in accordance with Robert's Rules of Order, latest edition.



# Police Advisory Commission Agenda Staff Report

**DATE:** April 27, 2016  
**TO:** Police Advisory Commission Members  
**PREPARED BY:** Gabriela T. Garcia, Deputy City Clerk  
**SUBJECT:** Acknowledge Receipt of Attendance Report

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**Recommendation:**

Acknowledge Receipt of Attendance Report for the Police Advisory Commission.

**Attachments:**

1. Commission Attendance Report

AGENDA  
ITEM

**6**

POLICE COMMISSION  
ATTENDANCE ROSTER  
JANUARY TO DECEMBER 2016

Committee Members	01/27/16	02/24/16	03/30/16	04/27/16	05/25/16	06/29/16	07/27/16	08/31/16	09/28/16	10/26/16	11/30/16	12/28/16
Guillermo Hermosillo	X	X	Resigned	Resigned								
Joe Bielma	X	X	X	X								
Francisco Sanchez	X	Absent	X	X								
James Beaver	X	Absent	Removed	Removed								
German Jimenez	X	Absent	Absent	Absent								

N.Q. = No Quorum

M.C. = Meeting Cancelled

N.M. = No Meeting Scheduled