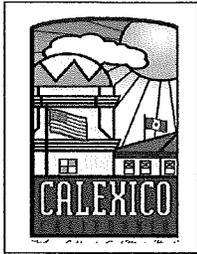


**AGENDA
ITEM**

5



AGENDA STAFF REPORT

DATE: January 19, 2016
TO: Mayor and City Council
APPROVED BY: Nick Fenley, Acting City Manager
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk
SUBJECT: Approval of City Council/Calexico Community
Redevelopment Agency Successor Agency/Calexico
Financing Authority Minutes for Meetings of January 5, 2016,
May 9, 2011, May 20, 2010 and November 5, 2008

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings January 5, 2016, May 9, 2011, May 20, 2010 and November 5, 2008.

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:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of January 5, 2016, May 9, 2011, May 20, 2010 and November 5, 2008 have been prepared for City Council review and approval.

Fiscal Impact:

None.

Coordinated With:

None.

Attachments:

Minutes for City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of January 5, 2016, May 9, 2011, May 20, 2010 and November 5, 2008.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 5TH DAY OF JANUARY, 2016 AT 6:30 P.M. AT THE FERNANDO “NENE” TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CALL TO ORDER

Mayor Kim called the closed session portion of the agenda to order at 6:07 p.m.

ROLL CALL

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

ABSENT:

Council Member: Maritza Hurtado

PUBLIC COMMENTS:

No public comments.

ADJOURN TO CLOSED SESSION:

Motion by Council Member Real to forego closed session for tonight. Motion seconded by Council Member Moreno and passed by the following vote to wit:

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

Closed Session was portion of agenda adjourned at 6:11 p.m.

**CALEXICO CITY COUNCIL/CALEXICO REDEVELOPMENT
SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY**

REGULAR SESSION – 6:30 P.M.

CALL TO ORDER:

Mayor Kim called the regular session of the agenda to order at 6:35 p.m.

ATTENDANCE:

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

ABSENT:

Council Member: Maritza Hurtado

PLEDGE OF ALLEGIANCE:

Mr. Jack led those present in the Pledge of Allegiance.

Mayor Kim wished the citizens and fellow Council Members a Happy New Year and a good year and whatever may happen, we will get through it together.

Motion by Council Member Real to remove Item No.8 from the agenda. Motion was seconded by Council Member Moreno and passed by the following vote to wit:

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

PROCLAMATION OF MOTHER'S & MEN AGAINST GANGS COALITION.

Council Members read Proclamation of Mother's & Men against Gangs Coalition proclaiming January 6, 2015 as "Anti-Gang Awareness Day – January 6, 2016".

PUBLIC COMMENTS

Sandra Tauler addressed the Council to invite everyone to the Veterans Center which will open on January 12, 2016 at 5:00 p.m. The center will assist Veterans with matters of employment, education and health.

John Romo expressed his concern for the citizens of Calexico on Kloke Road and Cole Road he spoke about the medium that does not have any signs and it is in the dark. He stated at least four persons have punctured their tires while crossing the railroad tracks. He asked for the City to do something about this problem.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Members Real, Moreno and Castro wished everyone a good Christmas and a Happy New Year and hoped for a better 2016.

Mayor Kim wished everyone a Happy New Year 2016 and stated it is up to the Council to have a great year and make Calexico better.

Acting City Manager Fenley, wished everyone a Happy New Year and is looking to a better 2016 and to serving the community.

Mayor Kim asked for a moment of silence for the passing of Mr. Ricardo Lopez, Housing Authority Commissioner. He served the community for the past three years.

PRESENTATION ON ANTI-GANG AWARENESS FAMILY HEALTH AND OUTREACH FAIR AND 7.3K RUN/1.73 MILE WALK BY MRS. GARZA.

Mrs. Garza from Mothers and Men against Gang Violence gave a presentation to the Council on anti-gang awareness and their efforts to educate and reached out to the community for participation in this cause. Mrs. Garza provided the upcoming events for the year and requested the participation and contribution from the Council and community.

CONSENT AGENDA

Motion was made by Council Member Real, seconded by Council Member Moreno to approve the Consent Agenda consisting of the following. Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of December 1, 2015, December 15, 2015, April 17, 2007, July 10, 2007, August 7, 2007 and March 26, 2007; Warrants from December 1, 2015 to December 15, 2015 and City Salaries and Benefits from November 25, 2015 to December 10, 2015. Motion passed by the following vote to wit:

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

UPDATE ON FISCAL YEAR 2014-2015 FINANCIALS.

Ms. Susan Meyer introduced herself and gave a brief history on her background as a Retired finance director with over 30 years of municipal experience. Since retiring she has consulted with various cities and provides advice to the Calexico Finance Department Staff. Ms. Meyer was referred by Ken Pun, Calexico’s Auditor Consultants and has been in Calexico since July and was brought in to close Fiscal Year 2014-2015.

Ms. Meyer provided the Council with the 2014-15 General Fund Update. Ms. Meyer presented the Fund Balance for June 2014 as follows:

Beginning Fund Balance June 2014	General Fund	Measure & Contingency Funds	Donations & Program Funds	Total
Originally Reported	\$ 1,773,169	\$ 2,009,407	\$ 111,145	\$ 3,893,721
Prior Period Restatements	690,907			690,907
Adj. Fund Bal. June 2014	\$ 2,464,076	\$ 2,009,407	\$ 111,145	\$ 4,584,628

She stated there were half dozen or so programs with restricted funds for various programs. She advised the funds have been co-mingled into one entity as general fund and the financial statements reported that the general ledger had about \$2.8 in beginning fund balance.

In the 2014-15 Activity the projected revenues and expenditures currently stand as follows:

2014-15 Activity Current Projection	General Fund	Measure & Contingency Funds	Donations & Program Funds	Total
Revenues	\$ 14,513,074	\$ 2,575,246		\$ 17,270,320
Expenditures	\$ (19,933,929)	\$ (3,371,521)		\$ (23,305,451)
Transfer out Restricted Program Funds			\$ (111,145)	\$ (111,145)
Net	\$ (5,420,855)	\$ (614,276)	\$ (111,145)	\$ (6,146,276)

She commented on how the Measure H Citizens Committee was charged with monitoring Measure H Funds yet some of the documents put that revenue in general fund and sometimes report it separately and explained the beginning fund balance of \$3.8 million includes general fund, Measure H beginning balance and Contingency Reserve Fund. She stated the general fund began the year with \$1.7 million, Measure H and Contingency Reserve was \$2 million and small balances in program funds. She stated over \$700,000 of corrections were identified and are recommending the numbers be restated and increased to \$4.5 million. She stated the largest item represented the administrative fee from the Successor Agency accumulated over time and had never been moved to the City's general fund.

Ms. Meyer clarified that as of 2014-15, the contingency reserve funds were labeled as Measure H and contingency reserve and budgeted as CIP projects. So by implementing the 14-15 budget the Measure H funds combined with contingency reserve funds were appropriated by projects and substantially spent during the year and the \$3.8 million represents the total of these unrestricted resources. She spoke about the unfortunate situation with the activity in 2014-15 because revenues did not cover the expenditures for the year and how expenditures exceeded revenues by over \$5 million. She also reported the General Fund double counted the Measure H monies and as a result were off by \$3 million dollars in revenue. She reported that the revenues were on target but the problem was the duplication of Measure H revenues. She explained that on expenditure side the primary driver were \$2 million dollars overspent primarily by the investigations at the police department and other expenses. She commented that Measure H had budgeted to expend the funds through CIP Projects and there is a cash balance due to the \$1 million for the swimming pool that has not been expended however the city drew down \$6 million more than it received.

Ms. Meyer stated she would ask if this a one time trend or an ongoing trend and how is the City going to cover these funds and what can be done to be sure the City knows this as it is happening and not six months after the end of the year.

Ms. Meyer also presented the expenditures by Department as follows:

Gen. Fund Departments	Budget	Current Projection	Variance
Police	\$ 7,297,962	\$ 8,253,671	\$ (955,709)
Fire	\$ 4,330,382	\$ 4,026,167	\$ 304,215
Engineering & Dev. Svcs.	\$ 484,749	\$ 860,618	\$ (375,869)
Public Works	\$ 1,444,061	\$ 2,084,935	\$ (640,874)
Community Services	\$ 1,185,706	\$ 929,666	\$ 256,039
Administration	\$ 2,615,726	\$ 3,778,871	\$ (1,163,145)
Total	\$ 17,358,587	\$ 19,933,929	\$ (2,575,343)

She advised the numbers are still preliminary, still fluid and continue to work with the departments to try and gather all expenditures. She pointed out the Police Department is currently \$1 million over budget but expect this to be better. In administration she spoke about costs such as workman's compensation, insurance that were in holding accounts and are allocated until year-end and how she expects some of these numbers can be improved and refined. In total, the Departments exceeded the budget by \$2,575,343 million. She also pointed out that the total labor was closer to the budgeted amount and it was the non-salary line items that were over budget.

Ms. Meyer stated the City started the year with a general fund with almost \$2.5 and drew \$5 million and is now overdrawn. The fund balance in Measure H is due to the million for the swimming pool and other CIP projects and in total is still overdrawn by almost \$1.5 million. She stated there are some expenditures that can be allocated to police grants and is working with police department staff to identify the sources. She further stated the opportunity to allocate administrative costs to other funds and programs and recommended implementation of these options to resolve the deficit. As an example, the city finance can allocate payroll costs, accounts payable and other administrative expenses for city manager, city clerk and other departments for services provided and it is appropriate to share the burden of the overhead and will refine a cost allocation proposal to improve the bottom line. Ms. Meyer addressed strategizing and the possibility to use Measure H funds and the opportunity to draw these funds to cover current capital spending that has happened and use future Measure H funds to restore these projects.

Ms. Meyer addressed the risks due to the bank reconciliations that were not done for and represent the risk. She commented that there are currently three staff persons dedicated to completing the bank reconciliations. She further addressed staff costs that do not a funding source due to funds being frozen pending an additional audit and compliance and there may be a situation where the general fund may have to cover.

Ms. Meyer commented the accounting records have suffered from neglect for several years and although there was an audit issue and are still finding corrections for 2014-15, it is important to identify and push them back to the prior year in order to have a good record for 2014-15 to use as a basis to project the future.

She addressed the neglect in accounting, bank reconciliations, and a number of transactions not posted, plus the City has gone to electronic transactions which have not been recorded. She also noted there is not sufficient staff in the department. She stated there is good staff right now who

are trying to catch up on these records. The records are getting better however this will take some time.

Council Member Real asked about neglect and asked how this happens when the Council has to approve and how the past administration spend the funds without Council approval.

Ms. Meyer stated that the biggest problem is Measure H money was double counted.

Real, asked about fiscal year 2015-16. Ms. Meyer stated she has not worked on 2015-16 but believes it has a similar problem however, not to the same degree.

Ms. Meyer stated that the biggest opportunity to improve the budget monitoring is to load the budget into the financial system. She stated the system is good, but, you have to get the budget inputted because this is the best tool is to have monthly reports.

Council Member Real restated that fiscal year Real 2014-15 had a \$6 million dollars deficit. Ms. Meyer stated the expenditures exceeded the revenues by \$6 million.

Council Member Moreno asked how the ending balance of \$1.5 million and relates to the \$6 million.

Ms. Meyer explained the top line represents July 1, 2015 with \$4.5 million, expenses were \$6.1 million for a total overdrawn ending balance of \$1.5 million.

Council Member Moreno asked how long it would take to load the budget.

Ms. Meyer suggested running the fiscal year 2015-16 and 2016-17 budgets together.

Council Member Moreno pointed out the \$1.5 million shortfall tells the City there will have to be cuts and priorities need to be set. Ms. Meyer concurred and stated the objective is to have a balanced budget, build and establish reserves especially due to being self-insured and it is prudent to have reserves and this can be established overtime.

Council Member Moreno asked if reserves could be used to off-set the shortfall. Ms. Meyer stated the city has overspent the reserves and there are no reserves at this time and will propose some solutions for consideration in order to bring the contingency up.

Council Member Moreno asked if the City could borrow from the Enterprise Funds or other restricted funds. Ms. Meyer explained accounting standards require that you have the ability to repay and there is a California constitutional requirement right that debt is voter approved and the Council will be provided options to get back to zero before closing the books.

Castro spoke about the updating of technology to be able to obtain monthly reports and asked if the City personnel are able to understand both programs in order to understand what happened with the \$6 million dollar deficit.

Council Member Real spoke about the installation of the Springbrook system usually taking 3-6 months and it has taken Calexico over two years and still has not happened. Ms. Meyer stated the conversion was handled backwards, staff was insufficiently trained and the chart of accounts was

not established. The accounts payable and payroll were turned on and the receivable was turned on in July however the third system called Starnik and the implementation was insufficiently staffed and planned and she advised the Council that none of the staff have had Springbrook training and the vendor needs to be brought back.

Acting City Manager Fenley advised staff will be trained on Springbrook within the next couple of weeks.

Eduardo Gutierrez stated the staff is competent and they are capable to run the day to day operations of the City. He further stated it takes a lot of hours to figure out what happened.

Council Member Real asked when the City will know what we overspent and where the \$6 million dollars go. Ms. Meyers explained that in terms of overspending vs. authorized, the spending that exceeded the budget was 2.5 million and the revenues were short of expenditures by \$6 million and this is mainly because of double counting and the actual overspending is about two to three million with the number one driver being the police investigations and second were the insurances.

Mayor Kim asked about transfers mentioned and Ms. Meyers stated it was banking transactions that were not recorded timely and this made monitoring of the budget impossible. Mayor asked about the over expenditure and Ms. Meyer explained the over expenditure of \$6 million dollars for revenues and the \$2.5 is for expenditures.

Mayor Kim clarified that the revenues was only \$14 million. Ms. Meyer concurred and restated that the revenues were \$17 million due to double counting the Measure H revenues.

Mayor Kim stated the City needs due diligence for the community and Council Members have to do their job right.

Council Member Real thanked Ms. Meyer and City Staff for their work and apologized to the citizens.

Council Member Real left the chambers at 7:45 p.m.

Mayor Kim questioned the savings by the police department due to the decrease in officers from thirty-two to sixteen and how instead they spent an additional \$1 million. Mayor Kim recommended training for every department, department heads using the Springbrook and stated he would like to be in the training. He also asked his fellow Council Members to work with the staff so together this can be fixed and Calexico can return to being a great city.

Council Member Real returned to chambers at 7:50 p.m.

SECOND READING AND ADOPTION OF ORDINANCE NO. 1166 OF THE CITY COUNCIL OF THE CITY OF CALEXICO REPEALING ORDINANCE NO. 1144 AND AMENDING SECTION 2.02.110 AND CHAPTER 2.07 OF THE CALEXICO MUNICIPAL CITY CODE REGARDING THE APPOINTMENT PROCESS AND DUTIES OF THE CITY CLERK.

Motion was made by Council Member Real, seconded by Mayor Pro Tem Castro to adopt Ordinance No. 1166 of the City Council of the City of Calexico Repealing Ordinance No. 1144

and Amending Section 2.02.110 and Chapter 2.07 of the Calexico Municipal City Code Regarding the Appointment Process and Duties of the City Clerk. Motion passed by the following vote to wit:

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

INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO AMENDING CHAPTERS 5.96 AND 17.11 PROHIBITING MEDICAL CANNABIS DISPENSARIES, MEDICAL CANNABIS CULTIVATION, AND MEDICAL CANNABIS DELIVERY IN THE CITY.

Assistant City Attorney Hargreaves advised the Council that the ordinance is in response to recent legislation at the State level regarding the regulation and distribution of marijuana. He advised the State government anticipates propositions for the November general election that will further legalize and decriminalize the cultivation of marijuana and the State is getting in the framework so that when the propositions pass people will be prepared to deal with the different issues. He stated the legislative package was worded in such a way that the cities need to get their own regulation into effect or there is a chance that on March 1st the cities may be pre-empted by what the State does therefore being presented is a standard package that prohibits the cultivation and transportation of marijuana within the City of Calexico so that going forward the City can state their position on this matter.

Council Members discussed the options regarding the cultivation, distribution and delivery of marijuana within the City and actions that could be taken by the State on this matter. Council Member Real asked how the City could over rule the State on this matter. Mr. Hargreaves stated the previous proposition allowed it and the City cannot over rule it because the persons within the City with valid prescriptions and valid cards would be able to use marijuana without legal ramifications. He further stated the ordinance with ban the commercialization of marijuana within the City. Council Member Real commented on the option of not adopting the ordinance in order for the City to be prepared for the general election outcome on the possibly allowing this type of business.

Assistant City Attorney Hargreaves advised the Council that in order for the City to have revenue from the cultivation and sale of marijuana, the City would have to take it to the voters. Mr. Hargreaves suggested setting up a working group to study the issues.

Council Member Real asked if an ending date could be set to the ordinance. Mr. Hargreaves suggested a sub-committee to study the issue and get something in place for November.

Council Member Moreno read the title of the Ordinance for the record.

Motion was made by Council Member Moreno, seconded by Council Member Castro to introduce and waive the first reading of an Ordinance of the City Council of the City of Calexico Amending

Chapters 5.96 and 17.11 Prohibiting Medical Cannabis Dispensaries, Medical Cannabis Cultivation, and Medical Cannabis Delivery in the City and passed by the following vote to wit:

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

AUTHORIZE THE CITY MANAGER TO PROCESS REQUIRED DOCUMENTATION THAT WILL ALLOW THE SHORT SALE OF THE PROPERTY ON CONDITION THE CITY RECEIVES A PAYOFF IN AN AMOUNT TO BE DETERMINED.

Motion was made by Council Member Real, seconded by Council Member Moreno to **authorize** the City Manager to process required documentation that will allow the short sale of the property on condition the City receives a payoff in an amount to be determined and passed by the following vote to wit:

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

AUTHORIZE ACTING CITY MANAGER TO FILE NOTICE OF COMPLETION FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS 2015.

Motion was made by Council Member Moreno, seconded by Council Member Real to authorize Acting City Manager to file Notice of Completion for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets 2015 and passed by the following vote to wit:

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

ADJOURNMENT

There being no further business, meeting was adjourned at 8:40 p.m.

Joong S. Kim, Mayor

ATTEST

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL JOINT SESSION WITH THE CALEXICO SPECIAL BOARD OF EDUCATION ON THE 9TH DAY OF MAY, 2011 AT 6:00 P.M. AT THE CALEXICO COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CALL TO ORDER.

The meeting was called to order at 6:10 p.m. by Mayor John Moreno at the City Hall Council Chambers, 608 Heber Avenue, Calexico, California. The Mayor welcomed the Calexico Unified School District Board Members.

ATTENDANCE.

Mayor: John M. Moreno
Mayor Pro Tem: Luis J. Castro (arrived late)
Councilman: Daniel Romero
Councilman: Bill Hodge
Councilwoman: Maritza Hurtado

Chairperson: Gloria Romo (arrived late at 6:17p.m.)
Vice-Chair: Joong S. Kim
Member: Norma A. Aguilar
Member: Antonio T. Valenzuela

PLEDGE OF ALLEGIANCE

Those present were led in the Pledge of Allegiance.

APPROVAL OF AGENDA BY CALEXICO CITY COUNCIL

A motion was made by Councilman Romero and seconded by Councilman Hodge to approve the agenda as presented. Voting was as follows:

AYES: MORENO, ROMERO, HURTADO, HODGE
NOES: NONE
ABSENT: CASTRO

APPROVAL OF AGENDA BY CALEXICO UNIFIED SCHOOL DISTRICT BOARD

A motion was made by Trustee Aguilar, seconded by Trustee Duarte and passed unanimously to adopt the City agenda as the Calexico Unified School District Board agenda.

CALEXICO UNIFIED SCHOOL DISTRICT

ANNOUNCEMENTS/PUBLIC COMMENTS:

Enrique Cervantes, ACT President, stated that the Board acted in a hasty manner at the past School Board meeting and felt that the items on the current agenda needed to be looked at in depth. Mr.

Cervantes stated that a recent article in the IV Press on March 12, 2011 raised troubling questions and inconsistencies in the actions of the Redevelopment Agency. He felt that the information had not been explained sufficiently to the public and the presentation made at the past Board meeting was not thorough enough. He questioned whether the Board had looked at all possible venues of funding and further stated that a clear presentation was due before taking action so that people could understand the potential results of the Boards actions in three years' time.

Benjamin Horton Sr. stated that Calexico often loses out on opportunities and urged the Council to approve the release of funds. Mr. Horton stated that the city could have a second community pool at a different location. He informed that he knows of a gentleman who would be willing to assist in finding grants at no charge.

CALEXICO UNIFIED SCHOOL DISTRICT

APPROVAL OF RESOLUTION REQUESTING THE RELEASE OF FUNDS IN THE CALEXICO UNIFIED SCHOOL DISTRICT CAPITAL FACILITIES SPECIAL FUND HELD BY THE CITY OF CALEXICO REDEVELOPMENT AGENCY.

Superintendent Fragale stated that he strongly encouraged the Board to vote in favor of the proposed resolution which would free up Redevelopment money in the amount of \$1.589 million owed to the Calexico Unified School District. The money would be used as match money needed to remodel Jefferson Elementary School.

Trustee Aguilar stated she was handed an article referencing a list of redevelopment programs that had difficulties. She handed the article over to legal counsel and requested an opinion.

CUSD Attorney Calderon stated that the request before the Board and the City Council was for the release of money that had already been collected and set aside from taxes that were already paid. The approval for the sale of bonds that was discussed at the last Board meeting was totally different. The request by the school district was to apply these monies to projects contemplated by the City and School District. The article handed to him by Trustee Aguilar referred to the existing obligations of the Redevelopment Agency and whether they could meet current obligations due to a decrease in taxes.

Trustee Kim stated he felt this item impacted item #3 on the agenda, the pool. He felt that money being approved in the resolution for the \$1.29 million could be used for the pool, since \$3 million was needed for the pool.

CUSD Attorney Calderon stated that this item had nothing to do with the pool and was only being considered for roof repairs and air conditioning.

Superintendent Fragale stressed that this money was essential as the State match to modernize Jefferson school. He stated that the original agreement with the City for the past twenty plus years listed all these items.

Trustee Kim expressed concern over the money not being used for joint projects, which he understood to be a requirement.

Acting City Manager Oscar Rodriquez clarified that the intended use of the monies for Jefferson School was allowed as per the agreement, and referred Trustee Kim to attachment A of the agreement detailing a list of identified and approved joint projects.

A motion was made by Trustee Kim, seconded by Trustee Aguilar, and passed unanimously to approve Resolution No. 37-05-11, requesting the release of \$1,859,414.53 from the joint fund held by the Community Redevelopment Agency of the City of Calexico as per the Public Improvements Agreement.

CALEXICO REDEVELOPMENT AGENCY

APPROVE RESOLUTION BY THE CALEXICO UNIFIED SCHOOL DISTRICT REQUESTING RELEASE OF FUNDS IN THE CALEXICO UNIFIED SCHOOL DISTRICT CAPITAL FACILITIES SPECIAL FUND.

Mr. Hodge asked for clarification of the amount of the two separate funds: the money the school district would like to use and the money related to the bonds. Acting City Manager Oscar Rodriquez stated that \$1.859 million dollars were being held in trust. The bonds were \$1.6 million with a net worth of \$1.3 million.

A motion was made by Councilmember Romero, seconded by Councilmember Hurtado and passed unanimously to approve the resolution submitted by the Calexico Unified School District requesting release of funds in the Calexico Unified School District Capital Facilities Special Fund.

DISCUSSION AND/OR ACTION ON THE FINANCING OF POTENTIAL POOL FACILITIES TO BE LOCATED ON CALEXICO UNIFIED SCHOOL DISTRICT PROPERTY

Acting City Manager Rodriquez stated he has been in discussion with the School Superintendent and others to put together a financing plan. He shared that the proposal being submitted included the following:

Proposed RDA/School District Bond Issue (211B)	\$1.3 Million
State of California Reimbursement to CUSD for various public improvements at Jefferson Elementary School	\$1.2 Million
FEMA monies for pool repairs caused by April, 2010 earthquake	<u>\$ 417,000 - \$600,000</u>
Total available funding for new pool and facilities	\$ 2.917 million-\$ 3.1 million

Mr. Rodriquez informed the Council and Board that if they move forward tonight, the financing plan and agreement will be drafted.

Councilmember Hurtado inquired whether FEMA would have restrictions on combining monies since the FEMA reimbursements would now be combined with other monies.

Superintendent Fragale clarified that the District had similar situations with the modernization funds for Jefferson Elementary and found that there was no problem with FEMA as long as the use of the FEMA money was clearly identified.

County Supervisor John Renison stated that he would see if the county would be able to assist the School District and City and possibly make this a three-way venture.

Superintendent Fragale stated that the District would be requesting funds from Measure H for the pool. He stated that he perceived that they wanted to be part of this venture. Mayor Moreno supported the placement of said request on the Measure H agenda.

Acting City Manager Rodriquez explained that the intent was to bring forward a plan that would while still looking for other options.

Councilmember Hodge inquired who would be liable should something happen and the bonds were not repaid.

Acting City Manager Rodriquez responded that while there was certainty that would not occur, the bonds were leveraged at 1.35% which allowed for a 35% above and beyond coverage on the bonds.

Acting City Manager Rodriquez stated that the agreement would be reviewed once it was formulated either jointly or independently by each board.

Trustee Duarte asked for the record to reflect that this would be a joint venture every step of the way.

Discussion ensued as to the site for the pool and other possible locations within the School District property and City property.

Trustee Aguilar suggested that the idea be considered in the City's Park grant application.

Trustee Kim stated that if the city received the grant, then the bond would not be necessary as the bond had too much interest and would create a debt three to five times more than the original amount. He also mentioned that he found other sources of funding from the city: the Joint Powers Authority with the City and Heffernan Healthcare District as well as the Heffernan Health District funds. Although the Heffernan District could not fund facilities, they could fund services which could be provided to seniors and any fees collected could be used for a pool.

Councilman Romero clarified that he sits on the Joint Powers Authority Board and stated that monies were not available for this type of project.

Superintendent Fragale informed that he and Acting City Manager Rodriquez had agreed that any money received from other funding options would be shared by the City and School District, but this plan was so that if no other funding was received, then the pool costs were covered. Acting City Manager Rodriquez verified that this was only to authorize staff to go forward with a study to put together a financial business plan and would not be committing to anything.

A motion was made by Councilman Romero, seconded by Councilmember Hurtado and passed unanimously to approve to continue with the financing plan and proposed joint use of the new pool.

A motion was made by Trustee Kim, seconded by Trustee Aguilar and passed unanimously to continue with the financing plan and proposed joint use of the new pool.

DISCUSSION AND/OR ACTION ON SCHEDULING SEMI-ANNUAL JOINT MEETINGS BETWEEN THE CITY AND THE CALEXICO UNIFIED SCHOOL DISTRICT.

A motion was made by Councilmember Hodge, seconded by Councilmember Romero and passed unanimously to schedule semi-annual joint meetings between the City and the Calexico Unified School District at a minimum.

A motion was made by Trustee Duarte, seconded by Trustee Aguilar and passed unanimously to schedule semi-annual joint meetings between the City and the Calexico Unified School District at a minimum.

GENERAL COMMENTS BY CITY COUNCIL MEMBERS/RDA BOARD MEMBERS

Councilmember Hurtado suggested that staff create a contact list with everyone's phone number so they can talk outside of formal meetings to share information and come to the meetings prepared.

Councilmember Hodge stated that he was pleased to hold a joint meeting with the School Board.

Councilmember Romero stated that the pool was a huge project for the City and School District. He continued that any funds available through the Joint Powers Authority were more dependent on the Heffernan Memorial approval through their Board and their attorney's recommended approval.

Mayor Pro Tem Castro concurred with his colleagues and stated that he would support joint meetings being held more often than twice a year.

Mayor Moreno stated that he would like to see these meetings held more informally, perhaps as town hall meetings to get community input.

GENERAL COMMENTS BY CALEXICO UNIFIED SCHOOL DISTRICT BOARD MEMBERS

Trustee Valenzuela had no comments.

Trustee Duarte thanked the City Council for hosting this meeting and commended all for taking part in it. She stated that this was the beginning of a good thing. She would like to see progress, construction, and jobs for Calexico.

Trustee Kim stated that he would like to see both Boards come together to cautiously make decisions that will do lots of things for the community's future. He thanked Councilmember

Romero for his clarification on the use of JPA funds. He also suggested that when construction commences, perhaps something can be done to request that contractors hire local employees.

Trustee Aguilar stated that she looked forward to working together with the City.

President Romo thanked the City of Calexico for the joint meeting and thanked representative Rene Felix of Senator Stephen Vargas' Office who was also in the attendance.

ADJOURNMENT

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

John M. Moreno, Mayor

ATTEST

Lourdes Cordova, City Clerk

THE CITY COUNCIL/REDEVELOPMENT AGENCY BOARD MEMBERS MET IN SPECIAL SESSION ON THE 20TH DAY OF MAY 2010 AT 12:00 P.M. AT THE CITY HALL COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CALL TO ORDER.

The City Council/RDA Board convened into Closed Session at 12:00 p.m. Mayor led those present in the pledge of allegiance.

ATTENDANCE.

Mayor:	David B. Ouzan
Mayor Pro Tem:	John Moreno
Councilman:	Luis J. Castro
Councilman:	Daniel F. Romero
Councilman:	Guillermo Hermosillo

MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF CALEXICO, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO AND CORSAIR, LLC WITH RESPECT TO THE PROPOSED REALIGNMENT OF WEST 2ND STREET IN THE VICINITY OF THE CALEXICO INTERNATIONAL AIRPORT AND THE PROPOSED DEVELOPMENT OF A COMMERCIAL SHOPPING CENTER BETWEEN THE REALIGNED WEST 2ND STREET AND THE INTERNATIONAL BORDER.

Antonio Tirado spoke on behalf of the project. He is in favor of the new development and supports the project.

Maritza Hurtado, 1001 Spud Moreno, expressed her concern regarding the new project and the needs for the downtown area. Requested attention be given to the downtown area and to the lengthy border wait times.

Robert Herrera, 1300 G. Robinson Court, In support of the project or any project where the City does their due diligence. Welcomed Mr. Oscar Rodriguez to the City and offered his assistance at any time.

Carlton Hargrave, 2401 Banda Avenue, spoke in support of the project however, expressed his concern regarding the 11th hour decision for approving the MOU. Mr. Hargrave requested that the item be postponed until the new Economic Director and the new council is brought up to date on the project.

Fernando "Nene" Torres, Requested that the council take their time, do the study and not rush into the project and regret it down the line.

Mayor Ouzan requested counsel from Jennifer Lyon as to the city's risk on the action to be taken.

Jennifer Lyon, City Attorney stated this cannot be final action on providing agency assistance on selling the land, providing on project entitlements until the EIR is considered for certification and holding the required public hearings, there are several clauses in the MOU in which this is specified and the City cannot bind itself to future legislative approvals. There is a termination provision and if financial assistance is not feasible from the agency and the seven (7) million number is not feasible and the City finds this out during the MOU term, the city is not committed to any specific level to assistance in it however, it does commit the City to using good faith efforts to continue the negotiations, then the city faces very little risks with this MOU.

Armando Villa, Director of Development, The developer has submitted nearly \$ 250,000 in fees to process the project, tract maps and is approximately 80% complete and hopes to put out an Environmental Impact Report within the next two months. The MOU contains the deal points that the city has been negotiating within the past three years.

John Moreno, Mayor Pro Tem spoke on behalf of the project and the need to redevelop the area along with the future port of entry.

Councilman Moreno made a motion to approve the Memorandum of Understanding. Motion was seconded by Councilman Hermosillo for discussion.

Councilman Romero expressed concern on repeating the process since resolution was approved on Tuesday. He also stated he had concerns and questions on the Memorandum of Understanding and the risk to the City. He felt the decision to approve the MOU is rushed and even though he is favor of the project but not in favor of the language in the MOU, he requested a response as to why the resolution approved on Tuesday is not a sufficient commitment on behalf of the city.

Jennifer Lyon, City Attorney stated she did not have any information since she had not spoken to the Charles Company.

Mayor Ouzan stated the resolution did not have a commitment from the developer and the MOU has a commitment from both the developer and the city. Staff is recommending the approval of the Memorandum of Understanding.

Motion passed by the following vote to wit:

AYES: Ouzan, Hermosillo and Moreno
NOES: Castro and Romero
ABSTAIN: None
ABSENT: None

REDEVELOPMENT AGENCY BOARD SPECIAL MEETING - MAY 20, 2010

MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF CALEXICO, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO AND CORSAIR, LLC WITH RESPECT TO THE PROPOSED REALIGNMENT OF WEST 2ND STREET IN THE VICINITY OF THE CALEXICO INTERNATIONAL AIRPORT AND THE PROPOSED DEVELOPMENT OF A COMMERCIAL SHOPPING CENTER BETWEEN THE REALIGNED WEST 2ND STREET AND THE INTERNATIONAL BORDER.

Motion passed by the following vote to wit:

AYES: Ouzan, Hermosillo and Moreno
NOES: Castro and Romero
ABSTAIN: None
ABSENT: None

ADJOURNMENT.

There being no further business, motion was made by Councilman Moreno and seconded by Councilman Romero and passed unanimously to adjourn the meeting at 8:06 p.m.

Louis Fuentes, Mayor/Chairman

ATTEST:

Lourdes Cordova, City Clerk

THE CITY COUNCIL/RDA BOARD MEMBERS MET IN REGULAR SESSION ON THE 5th DAY OF NOVEMBER, 2008 AT 6:30 P.M. AT THE CITY HALL COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION-5:30 P.M.

CALL TO ORDER.

The Closed Session portion of the agenda was called to order at 5:30 p.m. by Mayor Pro Tem Ouzan.

ATTENDANCE.

Mayor Pro Tem: David B. Ouzan
Councilman: John Moreno
Councilman: Luis J. Castro
Councilman: Daniel F. Romero

ABSENT:

Mayor: Louis Fuentes

The City Council convened into Closed Session at 5:30 p.m. to discuss the following: CONFERENCE WITH LABOR NEGOTIATORS. Agency Representatives: Ralph Velez, Judith Hashem, Jennifer Lyon
Employee Organization: SEIU/CMEA; Water/Wastewater Operators Assoc.; Supervisors Assoc.; Police Officers Assoc.; Fire Fighters Assoc.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS.

Property: Parking lot at Third and Heber Avenue
Negotiators: Ralph Velez and Rosalind Guerrero
Negotiating Party: Chelsea Investments
Under Negotiation: Price and Terms of sale.

CONFERENCE WITH LEGAL COUNSEL.

Anticipated Litigation pursuant to Government Code Section 54956.9 (1 case)

CONFERENCE WITH LEGAL COUNSEL.

Anticipated Litigation-Initiation of litigation pursuant to Government Code Section 54956.9 (1 case)

The City Council reconvened from Closed Session at 6:30 p.m., no action taken, and direction was given.

REGULAR MEETING-6:30 P.M.

CALL TO ORDER.

The regular meeting was called to order by Councilman Moreno at 6:31 p.m. and those present were led in the Pledge of Allegiance.

ATTENDANCE. (Present were: Ouzan, Moreno, Castro, Romero. Absent: Fuentes.)

APPROVAL OF AGENDA.

Item No. 6 was requested to be heard before first on the agenda. Motion made by Mayor Pro Tem Ouzan and seconded by Councilman Castro to hear Item No. 6 prior to presentations. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero
NOES: None
ABSENT: Fuentes

Councilman Moreno and Councilmen present congratulated the Cordova Family on the renaming of the Victoria Park to the Adrian Cordova Memorial Park.

A motion was made by Mayor Ouzan and seconded by Councilman Castro to approve the renaming of the Victoria Park to Adrian Cordova Memorial Park. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero
NOES: None
ABSENT: Fuentes

PRESENTATIONS:

Steve Seibert along with Martha Villegas and Annie Marie Rascon from State Farm Insurance presented the Library with a donation check of \$ 1,000.00

ORAL PRESENTATIONS BY DEPARTMENT HEADS:

Sandra Tauler, Community Services. Ms. Tauler presented the Community services Department which consists of the Library, Recreation and Cultural Arts. The library has a Five Board Member Administrative Library Board of Trustees and 19 staff members. The Library is open 55 hours per week at the Main Library and 20 hours at the Branch Library located at Willie Moreno Jr. High School. The library has an annual circulation of 106,455 and 18,883 library card holders. The library provides services such as Reading is Fundamental book distributions, Families for Literacy, Poetry Club, Internet/E-mail Classes, Book Discussion Group, and English and Spanish up-to-date websites.

The Recreation Department offers many programs for the community. The Recreation Commission is made up of Five Board Members. Programs offered are Sports Leagues, Swimming Pool, Arts Program, Summer Day Camp, Special Events, Senior Programs, and Senior Special Events. Recreation classes offered are: Art classes, Folkloric dance, Aerobics, Yoga, Zumba and Salsa Dance, Guitar & Rondalla, Self help workshops, Ballet, Flamenco, Youth Personal Growth, Chess, Tiny Tots Olympics, Fitness for the Fun of It, Me & all Sports, Crazy for Fun Games, Kid's Fitness, Karate, Youth Soccer Clinics, Adult Basketball and Softball Leagues and Open Gym for teens and adults. For Senior Citizens there are classes in Arts & Crafts, Card Stamping, Scrapbooking, Wellness programs, Games & Activities and Health Fair.

The Cultural Arts Department is also a Five Member Commission serving the department. The Cultural Arts Department promotes Plays, Author Visits, Art Shows, Music Events, Photo Exhibits, Classes and Artists' Gatherings.

Peter Mercado, Fire Department. Chief Mercado presented a status report on the Fire Department. The Department Administration office is made up of one Fire Chief, 1 Fire Prevention Officer and one Administrative Asst. Minimum daily staffing for the department is of eight suppression personnel, 2 fire engines and one advanced life support ambulance. Fire Engine is staffed with (2) Captains, an Engineer and Firefighter. Ambulance staffed with a Firefighter/Medic and a Firefighter/EMT.

In 2007, there were 4,044 for service, 3,211 Medical Emergencies (80%), 40 Working Structure Fires, 136 False Alarms and 658 Others (Haz-Mat, Rescues, Brush Fires, etc.).

For 2008, Statistics show 3,268 Calls Year to Date, 2,702 Medical Emergencies (82%), 30 Working Structure Fires, 140 False Alarm Calls and 396 others.

The department Fire Prevention Officer conducts life safety inspections of occupancies throughout the city, interprets fire codes, provides enforcement, and conducts fire prevention presentations and outreach to schools. The department holds an annual open house and reaches out to over 600 students during Fire Prevention week.

The department also performs Recruitment and Retention activities, reviews outdated and aged equipment, resulting in high maintenance costs while providing a level of service to meet National standards.

Goals for the department include: Maintaining fiscal responsibility, Provide rapid response and problem solving to every emergency in the City, Develop a well trained and efficient staff, Continue to improve the delivery of service to our community and Develop a staffing plan to meet national staffing standards of 1 firefighter : 1000 population .

The department plans for the future demands for service with an annual call volume increase of 10% over the last five years and the succession planning for senior officers.

Nick Fenley, General Services. Mr. Fenley presented the General Services as follows: Administration Division consists of the Director, Executive Assistant and Operations & Maintenance Supervisor. The Administration is currently in the process of obtaining proposals for the replacement of the downtown restrooms, Met with representative of solar lighting & energy distributors, Filed the Notice of Completion for the 2007-2008 Street Improvement Project, Conducting street evaluations for our next Street improvement Project 2008-2009, Process of preparing inventory list of surplus vehicles and equipment for public auction, Organization of the Beautification Commission and put out RFP's for the landscape and public facilities maintenance are being completed and will be set for announcement by the end of this week.

Facility Maintenance Division consists of a Building Maintenance Worker and an Electrician. Facility Maintenance Punch list: Armory Facility security fence has been completed and site cleanup will continue until complete, Cleanup and/or replacement of downtown light fixtures is taking place, as well as the installation of rope lighting on the palm trees, Graffiti Abatement is going on a part-time basis.

Fleet Maintenance Division consists of a Supervisor, three Mechanics and a Welder. Fleet Maintenance Division Punch list: Identification and assessment of surplus vehicles and /or equipment is being conducted for public auction and continuous Clean-up of services yard.

Paved Streets Maintenance Division consists of a Crew Leader, Heavy Equipment Operator and three Laborers. Paved Streets Maintenance Division Punch list: Currently two (2) staff members are assigned to the downtown pressure washing of sidewalk, crosswalk and trash receptacle, Staff recently completed the erection of a metal storage building, Pressure washing and deodorizing of the downtown alleys is scheduled on a bi-weekly basis. Residential alley clean-up and installation of recycled asphalt is scheduled to continue.

Street Sweeping Maintenance Division consists of three Sweeper Operators. Current maintenance schedule to remain as is. Street Sweeping Maintenance Division Punch list: Commercial Route on a daily basis and Residential Routes on a weekly basis.

Traffic Safety Division consists of a Painter and a Laborer. Traffic Safety Division Punch list: Clean-up of right-away area along Bowker Road, Downtown area striping scheduled for November 3rd and Continue the current maintenance plan.

Park Maintenance Division consists of a Crew Leader and two Laborers. Park Maintenance Division Punch list: Installation of benches and trash receptacles at the regional park, Installation of replacement trees and planting of flowers in the downtown for the holidays has commenced. Reseeding of public facilities is scheduled to commence within the next couple of weeks.

ANNOUNCEMENTS/PUBLIC COMMENTS:

GENERAL COMMENTS BY CITY COUNCIL MEMBERS/RDA BOARD MEMBERS

Councilmember Castro expressed concern about construction at Rockwood and Third Street next to the alley and requested a status. Mr. Nick Fenley advised Councilman Castro he had a meeting next morning with the owner of the construction to discuss possible citation.

Councilman Romero requested status on the Finance Advisory Commission. Ms. Hashem advised him the parameters for the commission are being reviewed to make sure Brown Act and parameters are set. Councilman also asked about the goals and objectives. He was informed that City is currently obtaining proposals.

Councilman Ouzan stated requested two council members on the panel to select the consultant and also requested four candidates for interview.

Councilman Romero questioned the RDA and City General Fund issues should be separated. He further stated he did not understand why the items are together and would like them separated to avoid confusion.

Councilman Ouzan suggested stopping the City Council meeting and then continuing with the Redevelopment Agency meeting. Jennifer Lyon, City Attorney, stated separating the items could be done. Councilman Ouzan requested a financial report from the Redevelopment Agency. He also stated that he would like to see, in order to avoid conflict of interest, that it be addressed that outgoing council

members can not be employed by the City of Calexico. Jennifer Lyon, City Attorney, stated she will provide the Council the code.

CONSENT AGENDA.

City Attorney Jennifer Lyon stated Item No. 7-RDA was going to be pulled from the agenda. Councilman Ouzan requested the item for discussion.

Item No. 2 – Application for Alcoholic Beverage License (Conditional) for BENZENE, 229, 231 and 235 Second Street, was pulled by Councilman Ouzan for discussion.

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Moreno to approve the Consent Agenda consisting of the following: City Council/RDA Board minutes for October 21, 2008; Claim rejection – Barrientos v. City; Budget amendment resolution for senior citizen services; Budget amendment resolution for Carnegie Technology Equipment. Voting was as follows:

AYES: Ouzan, Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes

ITEM NO. 2 – APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE (CONDITIONAL) FOR BENZENE, 229, 231 AND 235 S. SECOND STREET.

Councilman Ouzan requested a separate vote on this item in which he will abstain due to a conflict of interest.

Motion was made by Councilman Romero and seconded by Councilman Castro to approve the application for alcoholic beverage license (conditional) for Benzene, 229, 231 and 235 S. Second Street. Vote was as follows:

AYES: Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes
ABSTAIN: Ouzan

RDA ITEM-BUDGET AMENDMENT RESOLUTION FOR REDEVELOPMENT AGENCY ADMINISTRATION.

Jennifer Lyon, City Attorney, stated the item was being pulled from the agenda because the position has been budgeted.

Ms. Rosalind Guerrero stated that during the budget hearing 2008-2009 the position was included as augmented budget after the 1,000 hours were completed.

Councilman Ouzan stated he would like the position eliminated and made a motion to reverse the budgeted item and make the adjustment. Motion was seconded by Councilman Castro.

Councilman Romero questioned when the position was approved and how it was placed in the budget. Ms. Guerrero stated this was done during the budget process. She further stated she was instructed to include a 1,000 hours and hire full-time basis. Councilman questioned how it could be included if there was a hiring freeze.

City Manager Velez stated the position was for the RDA Director position and was filled with a lesser position with under 1,000 hours. This was funded as part of the RDA Budget during the process of putting together the budget.

Councilman Romero expressed his disappointment at the process.

Councilman Ouzan motioned to defund and eliminate the position within 30 days. Motion seconded by Councilman Castro. Vote was as follows:

AYES:	Ouzan, Moreno, Castro, Romero,
NOES:	None
ABSENT:	Fuentes

SIDEWALK SALES

Councilman Moreno stated that staff was given direction to eliminate sidewalk sales.

Andrea Estrada stated that for fourteen years there have been sidewalk sales in Calexico and during the holidays. She further stated that sales are low and work hours are less. She requested support in continuing with the sidewalk sales on Wednesdays since they hardly have sales on the weekends.

Christina Yeung, representing the Korean Merchants stated the sales are bad, the peso is up and revenues are going down, families may lose their jobs and businesses are closing and these are the hardships. She stated they greatly appreciate the sidewalk sales and stated the need for Wednesdays and the holidays. She further suggested rules for the sidewalk sales.

Judith Rodriguez, La Familia Store, states the sidewalk sales have helped revenues. They bring the people in and will help everyone during this bad economy.

Chief Neujahr stated staff has been working with the downtown committee and has come up with alternatives to sidewalk sales. He stated the allowance of sidewalk sales in the City has always been contentious. The sales are disorderly and messy. Businesses will not follow the rules set for sidewalk sales. There is a safety concern and it is a bad example off the City. The alternative is a Calexico World Market. This would consist of closing Second Street from Paulin to Heffernan on Tuesday afternoons from 3:00 p.m. to 8 p.m. This would happen for five Tuesdays from Thanksgiving to Christmas. There would be publicity, entertainment to bring the people into the downtown. This would present a big advantage to see what is going on in Calexico. Businesses would rent spaces in the street and make it a big event. This would not be open to non-profit organizations, just merchants.

Councilman Ouzan stated he likes the idea and it is a good start. He also suggested that the tents used in the event be uniform and for there to be guidelines for the businesses renting the space.

The question of why Tuesdays and not Wednesday was brought up. Chief Neujahr stated that the problem with Wednesday is that the downtown merchants would be competing with the swap meets. Councilman Ouzan suggested meeting with the merchants to see what days are better. Chief Neujahr stated he would survey the merchants and bring back results.

Councilman Ouzan further stated there will be no sidewalk sales and the decision stands. No action taken.

Councilman Moreno expressed the need for a clean and attractive downtown and is in favor of the World Fair Market.

NEIGHBORHOOD HOUSE REQUEST TO USE ROCKWOOD PLAZA FOR CALEXICO BAZAAR.

Samuel Kim, Neighborhood House spoke on behalf of the Micro Business Center. The center is where employed people make their crafts and sell at the bazaar for income. He stated the people are not selling commercial items and the buyers are paying sales tax on the items purchased. He requested authorization to use Rockwood Plaza Park for the bazaar events which are free of charge. Mr. Kim stated this is a great way to attract the snow birds and other valley cities and would like Calexico to participate.

Councilman Romero stated it is a great concept and it will not compete with the downtown. Question of the use of the park and maintenance was discussed. Mr. Fenley stated that families reserve first right to the park shades on the week-ends for parties and they would have preference on the shades.

Mr. Morris Reisin stated the 13th of December is the annual Christmas parade and would interfere with the parade. He suggested moving the event to the downtown on Heffernan to keep the people in the downtown.

Christina Rocha stated the bazaar is good but the downtown merchants are battling with the low sales and the bazaar would take away clients.

Council gave direction to staff to meet with Mr. Kim and keep the event in the downtown.

EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH CHELSEA INVESTMENTS FOR THE PROPERTY AT THIRD AND HEBER AVENUE.

Motion made by Mayor Pro Tem Ouzan to approve the exclusive right to negotiate agreement with Chelsea Investments for the property at Third and Heber Avenue. Motion seconded by Councilman Romero. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes

RDA ITEM**AGREEMENT BETWEEN THE CITY OF CALEXICO, THE COMMUNITY REDEVELOPMENT AGENCY AND THE CALEXICO CHAMBER OF COMMERCE.**

Councilman Ouzan stated the Chamber of Commerce does a great job and they work hard. Chamber could get a budget of \$ 90,000 since they are tight on funds and with this budget they would have a better program. Councilman Ouzan made a motion to allocate \$ 90,000 to the Calexico Chamber of Commerce and for all the funding to come from Redevelopment Agency funds. Motion seconded by Councilman Romero. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes

AMENDMENT TO THE VENEZIA TENTATIVE SUBDIVISION MAP (AMENDMENT OF CONDITIONS OF APPROVAL) UNIFORM APPLICATION NO. 2003-73.

Oliver Alvarado, Senior Planner requested the Council reconsider conditions of approval of Tentative Map for the project. The project consists of 240 single family residential, 200 acres of commercial, few acres of parks and a retention basin. During this time, the CM Ranch was also considered. Venezia was tied into the CM Ranch with traffic and Roadways, Jays Road. Venezia Subdivision proposed realignment of Bowker Road and traffic study for the roadways in January or February of next year. CM Ranch was rescinded. Because of the roadways, it was recommended to revisit Venezia map and make a supplement to negative declaration and make changes to conditions of approval. Recommend for approval of amended map with significant change, deleting SR 98 intersection oversight.

Public Hearing opened at 8:27 p.m.

Mr. George Garcia, DDS, thanked staff for the hard work on this project. He stated that Jade road was a primary access and Bowker was a secondary access. Venezia would have been left without access to the project.

Item No. 23, Landscape commercial developed was cross out.

There were no comments against the project.

Public Hearing closed at 8:29 p.m.

Councilman Ouzan stated he would like to see a condition for no CFD Bonds tied to the project. Infrastructure Bonds would be only for maintenance and for a short time of four to five years.

Leonard Steinberg, 1042 El Camino Real, stated the CDF should only be for operations and maintenance and should be controlled by the City Council and that the revenue stream for Fire, Police and City Council may have the right terminate at any time.

Jennifer Lyon, City Attorney stated the formation document will be brought back to Council for approval.

Motion made by Mayor Pro Tem Ouzan and seconded by Councilman Romero to approve the Resolution approving the Tentative Subdivision Map Amendment which amends certain conditions of approval and Mitigation Measures related to traffic and circulation and to allow for the Development of 249 residential units, 2 open space units and 1 commercial highway unit for Venezia Subdivision – UA No. 2003-73. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes

Motion made by Mayor Pro Tem Ouzan and seconded by Councilman Romero to approve Resolution Certifying Supplement to the Mitigated Negative Declaration for Venezia Subdivision Amendment UA No. 2003-73 with a conditional for no Community Facilities District. Vote to wit:

AYES: Ouzan, Moreno, Castro, Romero,
NOES: None
ABSENT: Fuentes

INFORMATIONAL ITEM

City Council acknowledges receipt of the following: Final Map for the Towncenter Industrial Plaza; Imperial County Mosquito Abatement Program Information; First Time Home Buyer Down Payment Assistance Program; Planning Commission Minutes for June 23rd, July 28th, August 25th, September 22nd, and October 13th, 2008.

Councilman Moreno stated the Town Center final map will not be recorded as stated in the staff report.

Councilman Ouzan requested a presentation regarding the Mosquito Abatement Program to discuss what we pay for at \$ 7.00 per person. Mr. Fenley stated he would invite the County to make a presentation to the Council.

Councilman Romero requested follow-up on First Time Home Buyer Program. Ms. Guerrero informed him that for 15 years there will be an annual review to check if the owner is still living in the home.

Jennifer Lyon, City Attorney informed the Council of the Training on November 25, 2008 at 6:00 p.m. which is required by law under AB 1294 which could be in person or via the internet. Training is provided by McDougal, Love Eckis and it is free of charge.

CLOSED SESSION.

The City Council convened in Closed Session at 8:45 p.m.

The City Council reconvened from Closed Session at 9:30 p.m. and took no reportable action, direction was given.

ADJOURNMENT.

There being no further business the meeting adjourned at 9:30 p.m.

John Moreno, Councilman

Attest:

Gabriela T. Garcia, Deputy City Clerk