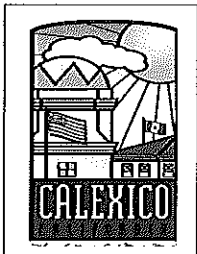


**AGENDA
ITEM**

5



AGENDA STAFF REPORT

DATE: April 7, 2021
TO: Mayor and City Council
APPROVED BY: Miguel Figueroa, City Manager *MF*
PREPARED BY: Gabriela T. Garcia, City Clerk
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of July 27, 2020 and December 16, 2020

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Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of July 27, 2020 and December 16, 2020.

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:

City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of July 27, 2020 and December 16, 2020 have been prepared for City Council review and approval.

Fiscal Impact:

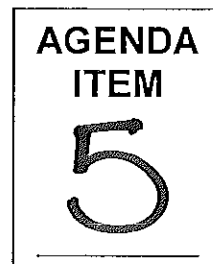
None.

Coordinated With:

None.

Attachments:

Minutes for City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of July 27, 2020 and December 16, 2020.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL SESSION ON THE 27TH DAY OF JULY, 2020 AT 5:30 PM AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLD OF SAID MEETING PURSUANT TO EXECUTIVE ORDER N-29-20.

CLOSED SESSION AGENDA - 5:30 PM

Mayor Arreola-Fernandez called the closed session portion of the meeting to order at 5:30 p.m.

ROLL CALL

Mayor: Rosie Arreola-Fernandez
Mayor Pro Tem Morris Reisin
Council Member: Lewis Pacheco
Council Member: Camilo Garcia
Council Member: Bill Hodge

PUBLIC COMMENTS – No public comments.

ADJOURN TO CLOSED SESSION

City Council adjourned to closed session at 5:31 p.m. to discuss the following:

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code Section 54956.9(d)(1)
City of Calexico, v. Personnel Commission of Calexico, et al.
Imperial County Superior Court, Case No. ECU 001109
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
One (1) Potential Case

Council reconvened from closed session at 6:25 p.m.

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

REGULAR MEETING AGENDA - 6:30 PM

CALL TO ORDER

Mayor Arreola-Fernandez called the regular session portion of the meeting to order at 6:30 p.m.

ROLL CALL

Mayor: Rosie Arreola-Fernandez
Mayor Pro Tem Morris Reisin

Council Member: Lewis Pacheco
Council Member: Camilo Garcia
Council Member: Bill Hodge

PLEDGE OF ALLEGIANCE

Council Member Hodge led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

Council Member Hodge led those present in reciting the City's Mission Statement Pledge.

INVOCATION

Council Member Hodge led those present in prayer.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported direction was given, no reportable action taken.

APPROVAL OF THE AGENDA

Motion made by Council Member Hodge to approve the agenda as presented. Motion seconded by Mayor Fernandez and passed by a unanimous roll-call vote.

PUBLIC COMMENTS AND PUBLIC APPEARANCES – No public comments.

DISCUSSION AND POTENTIAL ACTION ITEMS

RESOLUTION NO. 2020-__ OF THE CITY COUNCIL OF THE CITY OF CALEXICO AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE GRANT OFFER AGREEMENT AND/OR ANY DOCUMENTATION PERTAINING TO AIRPORT IMPROVEMENT PROGRAM (AIP) PROJECT NO. 3-06-0034-018-2020 WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE CONSTRUCTION OF TAXIWAY A REHABILITATION AT THE CALEXICO INTERNATIONAL AIRPORT.

City Manager Figueroa advised the Council of a grant award to the City from Federal Aviation Administration (FAA) in the amount of one million six hundred forty-nine thousand four hundred thirty dollars for the Taxiway Rehabilitation Project for the current fiscal year and there is no local match required because these funds came through the Cares Bill package bill that was approved in DC. He further stated that beginning in October, when the new fiscal year for the Federal Government begins, there is going to be a cycle that we will begin in which we will be potentially funded the remaining amount of money to finish our Taxiway Rehab Project giving the City the lump sum of money needed to go through the procurement process to complete the project. City Manager Figueroa answered questions from the Council regarding cost of the project, securing the additional funding, the procurement process and benchmarks for completion of the project per FAA guidelines.

Council Member Hodge made a motion to approve Resolution authorizing the City Manager or his designee to execute grant offer agreement and/or any documentation pertaining to Airport

Improvement Program (AIP) Project No. 3-06-0034-018-2020 with the Federal Aviation Administration (FAA) for the Construction of Taxiway A Rehabilitation at the Calexico International Airport. Motion was seconded by Council Member Garcia and passed by a unanimous roll-call vote.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING A CONDITIONAL USE PERMIT FOR UNIFORM APPLICATION NO. 2020-07 FOR A PROPOSED CONVERSION OF 43 HOTEL ROOMS AT THE HOLLIES HOTEL AT 801 IMPERIAL AVENUE (APN: 058- 346-001) AND THE EXISTING 16 UNIT-APARTMENT COMPLEX AT 18 LINCOLN STREET (APN: 058-346-007) INTO A 59-UNIT PROFESSIONALLY MANAGED, DEED RESTRICTED AFFORDABLE SENIOR & VULNERABLE POPULATION LIVING FACILITY, INCLUDING THE RETENTION OF EXISTING COMMERCIAL SPACE.

Christopher Velasco provided a background on the project which consists of transforming the Hollies hotel into a sort of professionally managed, deed restricted affordable senior and vulnerable population living facility.

The project went through the City's Project Review Committee and sent to Planning Commission. The Planning Division received a letter from the Director of Imperial County Behavioral Health Services Department, expressing her support for the project, all commissioners were sent electronic copies of the letter with the agenda packet. The Planning Commission voted down the measure on July 13, 2020.

The applicant has requested an appeal to the Planning Commission decision per the developer's timeline in order to override the Planning Commission's decision and approve a Conditional Use Permit (CUP) to convert the Hollies hotel into a 59 unit professionally managed, deed restricted affordable for seniors and vulnerable population, retain the commercial space, replace the waterline in the alley and repave the alley behind the hotel.

Mr. Ray Roben, representing the developer advised there would be a full remodel of the hotel, replacing all the lines, fire sprinkler systems, flooring. The project will be developed to the fullest standards of development. Mr. Roben explained the vulnerable population refers to the homeless population. He requested the Council's support for the CUP for a total investment of \$15-\$20 million for the entire project.

Juan Antonio Beltran expressed his dissatisfaction with the City's decision making and stated he felt the council members seek only their own benefit. He further stated the Hollies Hotel, which was a jewel and a great business located on the best avenue in our city, will be forgotten, instead of giving it life. He feels Calexico is going from bad to worse.

Motion was made by Mayor Pro Tem Reisin, seconded by Council Member Pacheco to adopt a Resolution of the City Council of the City of Calexico Approving a Conditional Use Permit for Uniform Application No. 2020-07 for a proposed conversion of 43 Hotel Rooms at the Hollies Hotel at 801 Imperial Avenue (APN: 058- 346-001) and the existing 16 Unit-Apartment Complex at 18 Lincoln Street (APN: 058-346-007) into a 59-Unit Professionally Managed, Deed Restricted Affordable Senior & Vulnerable Population Living Facility, Including the Retention of Existing Commercial Space. Motion passed by a unanimous roll-call vote.

FUTURE AGENDA ITEMS

Council Member Hodge requested an item for an Ordinance for the extension on Governor Newsome’s moratorium of evictions via a special meeting.

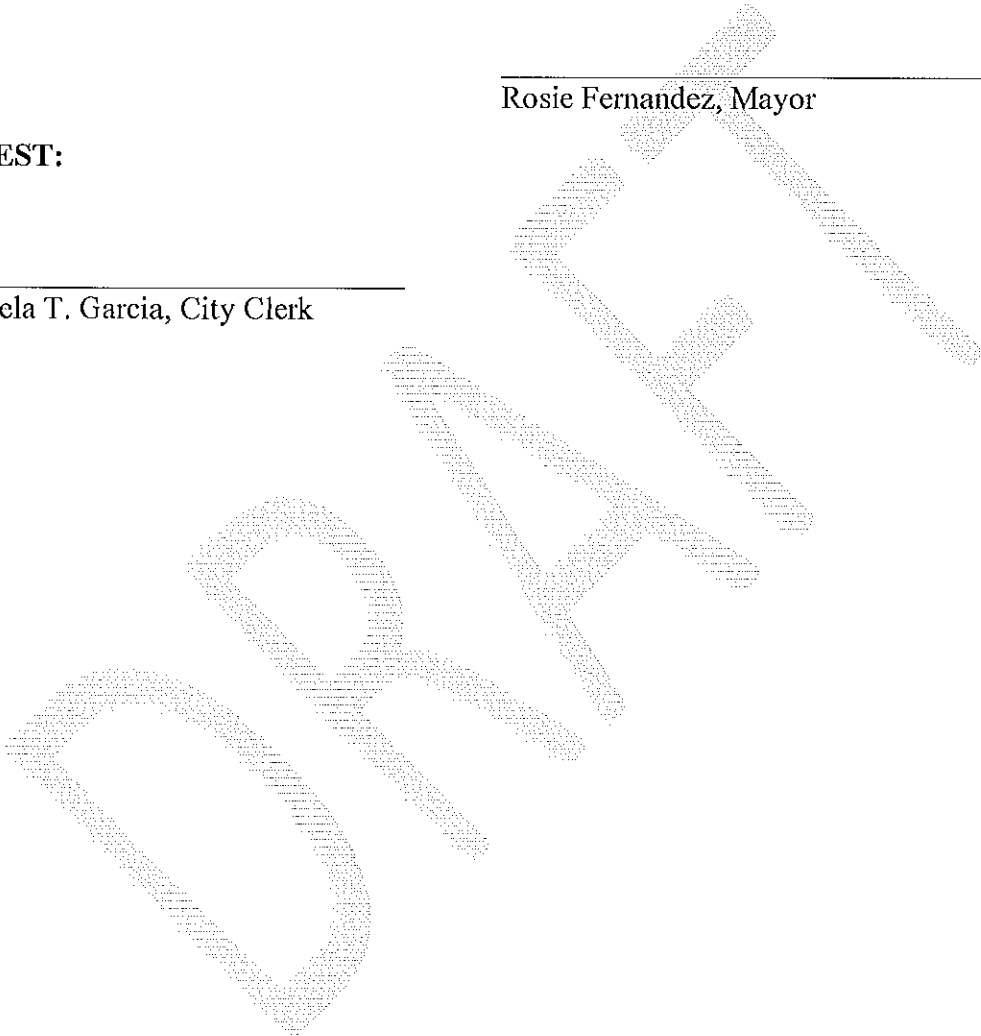
ADJOURNMENT

There being no further business, the meeting was adjourned at 7:02 p.m.

Rosie Fernandez, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 16TH DAY OF DECEMBER, 2020 AT 6:30 PM AT THE FERNANDO “NENE” TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLD OF SAID MEETING PURSUANT TO EXECUTIVE ORDER N-29-20.

CALL TO ORDER

Mayor Arreola-Fernandez called the meeting to order at 6:32 p.m.

ROLL CALL

PRESENT:

Mayor: Rosie Arreola-Fernandez
Mayor Pro Tem: Javier Moreno
Council Member: Raul Urefia
Council Member: Camilo Garcia
Council Member: Gloria Romo

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Moreno led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

Council Member Urefia led those present in reciting the City’s Mission Statement Pledge.

INVOCATION

Mayor Arreola-Fernandez led those present in prayer.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported direction was given, no reportable action taken.

APPROVAL OF THE AGENDA

Mayor Pro Tem Moreno motioned to approve the agenda as presented.

Council Member Urefia requested to be recognized to speak and requested Mayor Arreola-Fernandez recognize his request. After a lengthy discussion between the Council and City Attorney Campos regarding the procedures to address the council and regarding recognition by the presiding officer, Mayor Arreola-Fernandez recognized the motion by Mayor Pro Tem Moreno to approve the agenda. Motion was seconded by Council Member Garcia. Council Member Urefia requested discussion on the motion. Mayor Arreola-Fernandez stated she was moving on with Presentations.

Clerk Garcia requested permission to take a roll-call vote on the motion to approve the agenda. Mayor Arreola-Fernandez acknowledged.

Council Member Ureña once again requested discussion on the item. After discussion by Council regarding Council Member Ureña being recognized for discussion, Mayor Arreola-Fernandez recognized gave him the floor for discussion.

Council Member Ureña suggested the council to proceed with the following motion to approve the agenda with the exception of Item No. Four and for Item No. Four to be moved to discussion and an informational item as opposed to discussion and action item.

Mayor Pro Tem Moreno amended his motion to approve the agenda with the suggestion made by Council Member Ureña to Item No. Four to be moved to discussion and an informational item as opposed to discussion and action item.

After discussion on the amended motion and clarification by the City Attorney regarding the amendment to the motion, the motion was seconded by Council Member Garcia and passed by a unanimous roll-call vote.

PRESENTATIONS

CORONAVIRUS COVID-19 UPDATE BY POLICE CHIEF GERARDO AND FIRE CHIEF DIEGO FAVILA

Fire Chief Favila provided a detailed report on the Imperial County Covid-19 dashboard numbers and reported the following cases for Calexico: Total cases 5,859, total active cases 596, recovered cases 5,131 and total death rate of 132. He advised the Covid-19 vaccine program, which is following the CDC guidelines, has arrived to the Imperial Valley and will hopefully be commencing on the 18th starting the phase one tier of giving the vaccine to members are the first responders, healthcare personnel, and then from there they will move on to through the tiers. He further stated vaccine testing continues throughout the various location within the County and so are the flu shots which are available at any pharmacy, or with your doctor and clinics. Chief Favila confirmed Council Member Garcia's question on the first day of testing site for December 17th for the mobile testing. Fire Chief Favila stated there will be no fee or age limit for the testing.

Police Chief Gerardo reported on the Hero's Act which follows the Cares Act approved six months ago. He reported over 90% of the population is in the purple tier. He explained the mobile testing site offers flexibility and the site in Brawley is still open to be able to utilize it as well and everything is free of charge. He also commented that a person has insurance, they will bill the insurance. If a person is underinsured or uninsured, the State of California will pick up the bill. Chief Gerardo reported that for every 100 tests, there are 38.48% positive. He also reported the County of Imperial approved a 500,000 dollar bucket from a business home perspective and added another 500,000 dollar bucket, which makes a total of a million dollars in funding. Some of these funds have already been extended to businesses, however, there is roughly 100,000 dollars left. Chief provided a report on additional programs being extended to for profit and not for profit business industry up to \$10,000 dollars. He stated this Federal Money that needs spent as soon as possible since the program ends December 24th.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Mr. Alberto Alviso congratulated Council Members García, Moreno, Romo and Ureña on their election to five of the most important positions in the City. He stated this is the time for them to make better decisions for the benefit of the City and its residents and listen to the ideas and necessities of the people and to find leaders to create plans for the growth of the City. He stated Calexico has always been a City with economic potential, however it is now suffering the bad decisions made. He stated Lewis Pacheco, Rosie Arreola, Morris, Hodge and David Dale only looked for a future for themselves while ignoring the needs and the voice of the people during it's worst time. They allowed hundreds of families and merchants from Santo Tomas lose their businesses, jobs and homes and as a consequence, many merchants left to other cities. He addressed Camilo Garcia, Javier Moreno, Raul Ureña, Gloria Romo, Miguel Figueroa and stated there is a lot of work to be done and the good news is that they can count on the help from many leaders and people of the Calexico.

Mr. Emmanuel Martinez, Imperial Irrigation District provided an update regarding issues relating to the pandemic and on programs available to the public.

CITY MANAGER'S REPORT

City Manager Figueroa reported the current Mayor of Mexicali will be stepping down from her seat on December 22nd. He stated he and Ms. Falomir have been making progress with Caltrans, District 11, specifically with their team of architects to present a draft irrigation plan to seek an encroachment permit. He stated the City currently have \$190,000 worth of water delinquent accounts in Calexico. He advised the City will reach out to every delinquent account holder to inform them that if they have been affected by Covid-19 from March to November, they will be eligible to receive the water delinquent account paid off. He stated the City will work with the account holders and assist with filling out the paperwork which will be submitted to the County who in return, issue the City a check. The account holders will be protected since they have already done the paperwork, which is their justification to the reporting they need to do. City Manager advised this assistance will be only for residential accounts.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Mayor Pro Tem Moreno commented on Kennedy Gardens residents reporting to him of an incident that happened on Espinoza Street shortcut regarding an incident during the past weekend.

Council Member Ureña commented on parliamentary procedures and rules and provided specific procedures on the actions to be made with regards to the agenda items on the agenda. He also commented on the Mayor's announcement for not having office hours and requested the Mayor accept comments by the community during the difficult times. He also asked for a moment of silence for three groups and one person who is Marilyn Cazares, a Brawley transgender resident who was the sixth transgender person in the nation to be tragically murdered, for all migrants, especially LGBTQ migrants looking for a better place in this country. He further stated he concurred with Council Member Moreno on road safety.

Council Member Romo congratulated City Manager Figueroa and all staff who collaborated on December 10th. She stated her concerned for happenings in the city between 10 pm and 5 a.m. and

she requested the Chief of Police bring forth a report on this specific concern for the next council meeting.

Council Member Garcia also thanked the staff who collaborated on the December 10th council meeting. He stated he attended the annual Farmworker recognition and stated the need to work together to offer facilities for their use. He commended the Fire Department and welcomed the Chief of Police back and sent his prayers to the police officers for a speedy recovery. He thanked the County partners and Sheriff's department, the District Attorney's Staff and El Centro Police for coming to assist Calexico.

Mayor Arreola-Fernandez congratulated the four new Council Members. Mayor Arreola-Fernandez addressed false accusations of corruption on the Council by Mr. Ureña during the campaign without having proof. She also spoke of incorrect statements made on social media regarding the Mayor appointing Morris Reisin to the Council because he was her brother-in-law. Mayor pointed out she was not married to Mr. Reisin's brother not was she dating him at the time. She pointed out she had made the motion to appoint Mr. Reisin which was seconded and approved on by the council members. Mayor commented on car rallies organized by Mr. Ureña, driving around Calexico prior to the November 3rd election and deliberately driving in front of her home four times honking and yelling distasteful and unworthy remarks towards her. Mayor requested Council Member Ureña stop, cease and desist the distasteful and unwarranted harassment. Lastly she stated that as Council Members they must work in collaboration for the people of Calexico.

CONSENT AGENDA

Motion was made by Council Member Romo made a motion to approve Item No. 2 and 3: Warrants from November 7, 2020 to November 20, 2020 and City Salaries from November 7, 2020 to November 20, 2020. Motion was seconded by Council Member Ureña and requested to pull out agenda Item No. 3 for discussion. Motion passed by a unanimous roll-call vote.

ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 3: SECOND READING AND ADOPTION OF ORDINANCE NO. 1211 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, AMENDING THE CALEXICO MUNICIPAL CODE TO ESTABLISH THE LIBRARY BOARD OF TRUSTEES AND THE ARTS AND HISTORICAL COMMISSION.

Council Member Ureña commented on the Library Board ensuring that artistic and cultural activities are inclusive to everyone in the community. He commented on issues brought to his attention regarding the inclusion of LGBTQ themed books at the library by a former employee. He also spoke regarding the lack of respect for young professionals due to the lack of inclusion and who will leave to San Diego and other cities for inclusion, tolerance and inclusivity within the City.

Motion made by Council Member Ureña and seconded by Mayor Pro Tem Moreno to approve the Second reading and adopt Ordinance No. 1211 - An Ordinance of the City Council of the City of Calexico, California, Amending the Calexico Municipal Code to Establish the Library Board of Trustees and the Arts and Historical Commission. Motion passed by a unanimous roll-call vote.

DISCUSSION AND INFORMATIONAL ITEM**APPROVAL OF A RESOLUTION TO (1) DECLARE CERTAIN PROPERTIES EXEMPT SURPLUS LAND UNDER THE SURPLUS LAND ACT; (2) APPROVE THE SALE OF SAID PROPERTIES TO THE U.S. ARMY CORPS OF ENGINEERS PURSUANT TO A PURCHASE AND SALE AGREEMENT; AND (3) FIND THESE ACTIONS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

City Manager Figueroa shared the history for the item and advised it was brought to former City Manager Dale's attention that there were two specific parcels identified in the staff report for which the Federal Government through their engineering branch which is the U.S. Army Corps of Engineers were interested in acquiring. City Manager Figueroa took office as city Manager in August 2020, he began to receive notifications on the item and he requested all information from the U.S. Army Corps. of Engineers on any communication that existed on this matter. He read the documents on the item and one thing pointed out is the Surplus Land Act and the policy that government entities are mandated to follow when it comes to city-owned land that the city wishes to dispose of. There are procedures and steps that must be followed. He stated he then reached to the City Attorney for a valuation and assessment of the work that was to be confirmed and analyzed by the City Attorney. City Manager stated he was here today because this body of government is one that has the obligation and duty to consider any type of opportunity to any surplus land that the City is willing to engage on a real estate transaction. He stated that by introducing this item, he wants the City Attorney to provide legal details on this matter.

City Attorney Campos stated that beginning this year, the Surplus Land Act that now requires that when the City is going to sell real estate there needs to make an opportunity for any affordable housing builders or individuals who want to build affordable housing and give them a first priority to purchase the land, if possible. City Attorney Campos stated this new law came into effect in January. He stated that if there are other pieces of properties the City is thinking of disposing, the City is now walking down this process. He informed that when this item came to their attention, we first had to look to see whether or not the property would be subject to the Surplus Land Act which would take another three to four months in the timing process to give a notice out for interested affordable housing builders and see if the City could negotiate a deal and if not the City could sell to another party. Once the research was done, it looks like selling property to the Federal Government is exempt from the Surplus Land Act. The City could then proceed without the Surplus Land Act and would take that to the City Council for approval and that is the reason to agendaize the item. He stated there were two appraisals on the properties conducted pursuant to federal standards as well as to U.S. Army Corps. of Engineers standards. He further stated they were asked to put a short memo together on the ability of the federal government to condemn property. He explained that under Amendment 5 to the U.S. Constitution the Federal Government can take property for a public purpose under the supremacy clause they would trump the State as well as a city if they wanted to condemn any city property. He further stated that if the Federal Government wanted to proceed with eminent domain, they could. The City could try to object to whether or not a property is being used for a public purpose but generally the courts have

determined what that is and another question would be one of value. City Attorney provided these points for discussion.

Public comments for Item No. 4: The following residents submitted a comment expressing their absolute disapproval of the resolution calling for the city to approve its sale of 2.5 acres of land along the border to the U.S. Army Corps of Engineers for \$26,700 and to designate this land as exempt surplus, meaning that the city finds this land “not suitable for the City’s use”, triggering an exemption from the California Environmental Quality Act. They urged the council to vote No on the item and state they felt the land was useful for affordable housing and other public uses. They felt the need to take actions to beautify the community and not further militarize the City. They stated the action not only impacts and divides us as residents living along the border from their families, but it impacts communities all over the state and country. They state that while the community was hurting on July 27, 2020 at the height of the first wave of the pandemic, the council offered our land for sale to the military. Calexico is an immigrant community, the border fence has always divided our community and our families, and voting to enable the spectacle of symbolic but unnecessary border expansions, through this sale is a vote against our community. They urged the Council be on the right side of history and vote NO on the resolution that would make this sale possible. (Shelia Vianey V, Jose Ambriz, Vanessa Kilps, Valarie Salgado, Tori Bosmenier, Tete W., Stephanie Briseno, Sofia Quintano, Sofia Potenciano, Sergio Espinoza Jr., Selena Flores, Sandra Apodaca, Rosie Hin, Rodrigo Valdez, Rachelle A. Carrillo, Priscilla Smith, Paulina Siera, Olympia Dorantes, Ofelia Urzua, Nicole Soriano, Nelly Rodriguez, Nathalie Rivas, Natalie Gonzales, Montserrat De Dios, Monique Ureña, Miguel Angel Vizcarra, Michelle Rosas, Mellissa Gonzalez, Melanie Beaver, Megan Moreno, Lizeth Salazar, Marianna Cabrera, Luis G. Hernandez, Lorna Avila, Lizbeth Diaz, Lessley Lara, Lilian Valarde, Jazmine Ortiz, Larrisa Topete, Kayla Aceves, Katelyn Rivera, Karyme Rios, Karyme Guitierrez Ching, Karyme Mercado, Julyssa Ortega Cisneros, Jovana Martin, Joshua Vidal Robles, Jimmy Vazquez, Jesus Do Dios, Jennifer Baltazar, Jennifer Garcia, Jeila Delia Vasquez, Jeanette Romo, Jade A Sevilla, Jacqueline Chaboya, Ismael Rocha, Ismael Arvizu, Isabel Solis, Haydee Rodriguez, Gwentyth Rodriguez, Guadalupe Rosas, Gibran Torres, Esteban Ojeda, Earnest Alexander Limon, Erick Peraza, Daryanna M, Daniel Gonzalez, Daniela Sandoval, Christina Martinez, Cassandra Garcia, Carlos Melendrez, Carlos A Fitch, Camilla Musso, Brenda Mungarro, Bianca C. Contreras, April Urrutia, Antonio Torres, Angel de Dios, Anahi Araiza, Anafernanda Castro, Ana Cabrera, Alfredo Garcia Ornelas, Alessandra Sandoval, Alanis Gayton, Adriana Arce, Kiani Palacio, Jacob Stemple, Barbara Eastman, Nilza Perez, Ana Rosas, Hugo Castro, Laura Arteaga, Julyssa Ortega, Kiani Palacio, Elizabeth Jaime, Danny Hernandez, Laura Rivera, Eugenio Ramos, Nicola Salarpi, Fabian Rubio, Lorena Wilens, Jorge Naranjo, Emily Bastida, Gustavo Meza, Samantha Ramirez, Jocelyn Lozano, Brenda Arteaga, Timothy Andrew Marquez, Brenda Buenostro, Alejandro Campos, Andre Gomez, Obdulia Torres, Nancy Briseno, Ahsley Angulo, Abigail Zepeda, Alexis Villalobos, Alejandro Espinoza, Roxanna Ramos, Maribel Hernandez, Jose Manual Coronado, Joceline D. Moreles, Isabel Ureña, Angel Esparza, Marina Contreras, Dilan Ortiz, Ruben Arellano, Alex Felix, Lesly Aguayo, Crista C. Ramirez, Jeremiah Mendoza, Eliana Moreno, Dalel Cervantes, Yolanda Ruiz, Vanedsa Arteaga, Kimberly M., Clarrissa Campos, Alejandro Moreno, Ernesto Perez, Yolanda Maria Valadez, Tania Valedéz, Bianca C Contreras, Joaquin Vazquez, Juan C. Araujo Sarinana, Leslie Pinedo, Karla A., Ana Rodriguez, Guadalupe Angulo, Sasha Leon Jauregui,

Daniel Ortega, Johanna Espinoza, Diana Acuna, Grecia Dominguez, Moises Miranda, Carmen Sarinana, Annelia Bonillas, Alvin Wong, J.B., Karina Gonzales, Ana Rodriguez, Mariana Melendrez, Woof, Daniel A. Silva, Saray Benavides, Martha D., Emma Flores, Crystal Quezada, Cerise Myers, Vanessa Vizcarra Sanchez, Luis Hernandez, Ismael Arvizu, Ashley Diaz, Norma A. Fernandez, Christian Estrada, Guadalupe Marquez, Cynthia Musso, Miguel Musso)

Members of six recognized student organizations of San Diego State University, Imperial Valley Campus expressed their opposition and absolute disapproval of the resolution of selling 2.5 acres of Calexico's land along the border to the U.S. Army Corps of Engineers for \$26,700 and designation of this land as exempt surplus and the exemption from the California Environmental Quality. They stated Calexico has grown and developed by the hard work of Mexican immigrants and said resolution includes not only the sale of borderland but also divides our own people through the creation of a frontier where the cultures have become inter-mixed and interlaced through the generations. They spoke of the sisterhood between Calexico's population and Mexicali where many where many of our values are inculcated. They urged a no vote on this action.

Ismael Arvizu asked for the need for a second border. He asked if it was to try to alienate our neighbors and family members that have not seen family members in months. He commented on the message to the citizens and stated the \$26K was not enough. He stated the border has divided and demonized our own people. He asked not to militarize Calexico because the undocumented are only looking for a better life.

Roxanna Ramos stated she had never felt unsafe growing up in Calexico and stated Calexico does not need a second wall because it serves no purpose. She felt the City was investing in propaganda while it suffers from Covid and shamed the Council if they support the item and stated the whole country will be aware of the city council selling out their city to Trump.

Ana Fernanda Castro stated she was deeply concerned with the proposition to build another wall. She asked where the \$26,000 from the sale of the land would go and felt the council members would use it for themselves. She stated the need for change and building another wall will do nothing. She urged the Council to decline the offer.

Cerise Myers expressed her strong opposition to the resolution calling for the sale of city land to the U.S. Army Corps of Engineers. She stated the aggressive, militarized fortification of the boundary between Calexico and Mexicali is an ugly, expensive, and a counter-productive embarrassment. In exchange for enabling this continued behavior, through the sale of this parcel of land, Calexico would stand to gain a paltry monetary sum, less than \$27,000.

Edith Crystal Quezada expressed his absolute disapproval of the resolution calling for the city to sell 2.5 acres of land along the border to the U.S. Government "for the purposes of building a secondary security wall." He stated he disagreed that this land is not useful for other purposes and must be used to build more affordable housing, which is currently limited in the community. He stated that Calexico is an immigrant community and voting to enable federal government overreach in unnecessary border expansion and militarization through this sale is a vote against our community. He urged the Council to vote NO on item #4.

Ana McMahon expressed her opposition to agenda item no. 4. She stated both pieces of land to be sold for less than \$27,000 total to the federal government, are currently used as buffer sites near sensitive governmental use for our established border wall dividing USA and Mexico territories. By law, it appears neither land is a surplus, much less an "exempt surplus land". She urged the Council to nullify the signed agreement by Mayor

Mayor Pro Tem Moreno asked City Attorney Campos if the document presented was a binding contract. City Attorney Campos stated that was his position and this is the reason why the City Staff communicated to the U.S. Army Corps. of Engineers that it would have to go to Council for approval.

Mayor Pro Tem asked City Manager Figueroa if the City knew if there was a statute of limitations on the decision on the item. City Manager Figueroa state none that he has been informed. Mayor Pro Tem asked if the City Manager felt the City was getting a fair assessment for the property. City Manager stated he never saw back-up for the dollar amount and in order to consider, it is his obligation to bring items for Council consideration, he needs to make sure that he can provide all the facts and when it comes to the appraised value, as the City Attorney explained, the City sought information from the U.S. Army Corps. of Engineers given that they were the ones that valued the land to explain the process. In response, they provided a written response which was shared with the council. Mayor Pro Tem asked for the intention the Federal Government has for the land. City Manager Figueroa stated the City knows what was written in the staff report.

Council Member Romo requested the City Attorney explain the state law on this matter. City Attorney explained the Surplus Land Act which requires the City to provide notice to any potential individuals or companies that the city is offering properties with the idea that it will prioritize anyone who would build on the properties. If the City received any submittals from affordable housing builders, the City would first try to negotiate to agree to the agreement and transfer to them in consideration for fair market value but for affordable housing.

Council Member Romo commented that the citizens have spoken and she thanked the people. She asked the Mayor why one Mayor would sign a document without having the authorization of the previous Council. City Manager Figueroa shared that once he requested all documentation that had been drafted and considered for this item, there is a document signed. For transparency, as a result of that the document is dated July 27, 2021 prior to the last week of our previous City Manager besides this point, this is what he could convey. Mayor Arreola-Fernandez stated that the previous City Manager presented the document for signature in order to make forward with the process needed for any sale and he was looking at other surplus land and she stated she knew that no sale could be made by her or any member of the city council and the signature was needed to move forward. Council Member Romo stated it was her opinion that first there should be an authorization from the Council.

Council Member Garcia stated that to make sure that this type of items do not come up without previous knowledge of the Council for transparency and due diligence. He requested that further due diligence be done for an informed decision and there are many questions that need to be answered, continue the discussion and listen to any other options and make sure the City explores

any feasible options to not just satisfy but tend to the needs of the community. He spoke about the community expressing themselves and he further stated the City should explore any option available and find if the contract is binding and if there is any legal liability and move forward.

Mayor Arreola-Fernandez stated she wanted to make it clear that no City Mayor nor any City Council has any authority to sell any property and she was not going to sell any property. Mayor Arreola-Fernandez stated this item was going to be left for discussion.

DISCUSSION AND POTENTIAL ACTION ITEMS

APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.

Motion was made by Council Member Romo, seconded by Mayor Pro-Tem Moreno to approve a Resolution of the City Council of the City of Calexico Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds. Motion passed by a unanimous roll-call vote.

APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN THE ENCLOSED LEASE AGREEMENT WITH SPENCER CONSTRUCTION.

Motion was made by Council Member Romo, seconded by Council Member Ureña to approve and authorize the City Manager to Sign the Enclosed Lease Agreement with Spencer Construction. Motion passed by a unanimous roll-call vote.

ESTABLISHMENT OF AD HOC COVID-19 COMMITTEE.

Blanca Morales submitted a public comment regarding Covid-19 and the needs of the Calexico Community as understood by locals. She felt the County and outsiders does not always understand the needs of Calexico.

Daniela Flores expressed her absolute support of the recommendation to establish the Ad Hoc COVID-19 Committee which should be diverse and inclusive of various community members, residents, stakeholders, and public safety officials to address the issues of relief for businesses and covid-19 testing sites.

Motion was made by Council Member Ureña to establish a committee of up to seven people and appoint himself and Council Member Romo as members of the Ad Hoc Covid-19 Committee. Mayor Pro Tem Moreno did not support the motion. Council Member Garcia stated he would support with the caveat that a scope of work be brought forth as soon as possible and limit staff resources from the City and any cross border type of relationship be brought back to the council. Council Member Ureña agreed to amend the motion to include the comment from Council Member Garcia. Amended motion was seconded by Mayor Arreola-Fernandez. Motion passed by a unanimous roll-call vote.

LOCAL APPOINTMENTS LIST 2021 IN CONFORMANCE WITH THE MADDY ACT, CALIFORNIA GOVERNMENT CODE 54970.

Council Member Garcia made a motion to approve the Local Appointments List 2021 in Conformance with the Maddy Act, California Government Code 54970. Motion was seconded by Mayor Pro Tem Moreno and passed by a unanimous roll-call vote.

AUTHORIZATION CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF CALEXICO AND IMPERIAL COUNTY SHERIFF'S OFFICE.

City Manager Figueroa provided a briefing on the current situation of Covid-19 hitting the Calexico Police Department. He stated Chief Gerardo reached out to the through the proper channels to seek support from local agencies. City Manager commended the Imperial County Sheriff's office and the El Centro Police Department when it comes to public safety. City Manager thanked Mr. Rahoutas and Ms. Piedra for their assistance. City Manager stated the need for a binding document in order to seek reimbursement from the Federal Government.

Chief Gerardo reported the department was hit by Covid around Thanksgiving and one of the officers ended up in the hospital however is not home. He requested assistance from the Sheriff's Office and went through the process followed for emergencies and catastrophes. He stated the need for the MOU or the City may not be reimbursed for the services provided. He informed the Sheriff's and El Centro Police Department will be in town this Wednesday, Thursday and Friday. He reported four of the eight officers will be returning to work.

Motion made by Council Member Urefia, seconded by Council Member Romo to Authorize the City Manager to Sign Memorandum of Understanding between City of Calexico and Imperial County Sheriff's Office. Motion passed by a unanimous roll-call vote.

ITEM NO. 10-1: APPROVAL OF A RESOLUTION TO AMEND CITY COUNCIL ANNUAL ROTATION POLICY

Dylan Castillo stated Mayor Fernandez is not indicative of the will of the people. He stated the Mayor's handling of Covid was beyond subpar to the actions of a Mayor who was in tune with her community and the continued lack of office hours only shows she has no interest in restoring the good faith between the counsel and the public.

Gilberto Manzanarez expressed his support for Item 10. He stated Calexico has recently expressed loudly and at the ballot box the need for change and it should be reflected by a changing of the Mayor and Mayor pro temp roles without having to wait 6 to 7 months. He further stated the everyday working class citizens feel that the current Mayor needs to step down from her position due to her recent issues with DUP's and hit and runs and stated he receives daily messages regarding a recall of the Mayor. He stated the need to give Calexico a good image and felt this starts by changing the Mayorship and choosing someone the people genuinely like and start with a clean slate by selecting a new mayor and mayor pro tem now.

Ashley Diaz stated her support to change the rotation of the Mayor that will remove Rosie Fernandez.

Daniela Flores expressed absolute support for the proposed resolution to change the rotation of Mayorship from June to December, beginning December 16, aligning council organization with the electoral cycle. She stated that through the November 3rd election, the community sent a clear message by electing new members and replacing previous council members that failed to take actions that addressed the many challenges the community experiences. She stated it is urgent that our Mayorship reflects the newly elected council members and the need for somebody in this position that will adhere to the highest standards of parliamentary procedures and creates space for discussion among council members as required by the Brown Act, and that remains accessible to the community. She provided examples of the problematic actions of the current Mayor including potential Brown Act violations, the cancellation of all office hours during the pandemic as residents experience hardship despite being able to host Zoom video/phone office hours, and the lack of commitment to become informed on a housing moratorium that was brought to the city council. She urged the Council vote yes on proposed resolution as part of item # 10.

Ismael Arvizu stated Mayor Arreola-Fernandez hid behind the other council members during half of her term and she is not a leader. He expressed his thoughts on her lack of action with regards to jobs being lost, people in hunger and businesses closing and not being proactive to these problems. He called for the Mayor's resignation.

Public comments for Item No. 10-1: The following residents submitted a comment in full support of the proposed resolution to change the rotation of Mayorship from June to December. They stated it is critical that the results of a democratic elections are immediately reflected in a change of leadership as opposed to having to wait 6 months until June for democracy to be reflected and especially true in a situation like the one we are in right now where voters overwhelmingly ousted allies of the mayor in favor of new candidates offering change. The people want new leadership NOW to repair the damage done from the unprofessional and unethical doings of Rosie Fernandez while Mayor: (Camila Musso Vanessa Kilps, Angel De Dios, Esteban Ojeda, Ruben Arredondo, Carlos Gomez, Ernest Alexander Limon, Sandra Nunez, Guadalupe Rosas, Brandon N. Magallon, Crystal Quezada, Dylan Castillo, Fabian Rubio, Alberto Alvizu, Johanna Espinoza, Greta Mascareño, Joey Espinoza and Carlos Gomez).

Council Member Ureña provided a brief explanation of the item 10.1 explaining the proposal to go back to the original rotation policy in December which was changed at some point in 2013 to a rotation in June.

Council Member Romo stated she had the same reason for the change as stated by Council Member Ureña.

Mayor Pro Tem Moreno requested Council Member Ureña explain the measure or metric he utilized to arrive at his mathematical results. Council Member Ureña stated that with the current rotation change there will always be a council member who will only serve for six months. Mayor Pro Tem Moreno asked if the City had a way of finding out if there was a way to find out of the persona making comments lived in Calexico. He was informed there was no way to find out.

Council Member Garcia stated all council members serve and regardless of the title there is a purpose to the job and stated he wants there to be transparency and professionalism.

Council Member Ureña spoke about his two endorsements during his campaign which energized a movement of young people to elect a whole host of council members and realized that 8,700 residents of Calexico voted for Raul Ureña and also voted for Council Members Moreno, Garcia and Romo and a supermajority of those want to see a new Mayor and they do not want to see it in six months as per the comments provided.

Motion was made by Council Member Urena, seconded by Council Member Romo for approval of a Resolution to Amend City Council Annual Rotation Policy. Motion did not pass by the following roll-call vote:

AYES:	Ureña, Romo
NOES:	Arreola-Fernandez, Moreno, Garcia
ABSENT:	None
ABSTAIN:	None

FUTURE AGENDA ITEMS

Council Member Ureña requested the following future agenda items:

1. An item to amend municipal code 2.04.180 translation services which currently reads "City council meetings shall be conducted in English.
2. An emergency meeting regarding Covid around December 22nd, if possible, to meet with the commission, Mexicali, and to get some details from the governor's office regarding resources for enforcement.
3. A special meeting within one or two weeks to talk about putting together a safe parking lot or transitional community housing strategy to start coming up with transitional housing plan for homeless population.
4. An item for a proposal for the next regular agenda item to amend the policy to not test for medical or recreational cannabis as a requirement of service to the city, barring any federal regulations for transportation where they are mandated federally for testing.
5. A discussion item on road safety design and strategies for next agenda.
6. An item to be an item on the agenda, if possible during the emergency meeting, to pass a commercial eviction moratorium with repayment plan for commercial entities.
7. An item for a letter ready for the council to vote on a resolution or a statement to send to the federal government, specifically to the office of the President of the United States and to the Department of Homeland Security for them to remove the barbed wire that President Trump had installed during his tenure.
8. An item for discussion, hopefully during the emergency meeting on Covid, on how the city is going to notify homeowners and renters of their rights during the pandemic.
9. An item to send a letter to the IID Head Director Galindo and Gonzalez regarding power shutdowns in Calexico.

Council Member Romo requested the following future agenda items:

1. A presentation on the airport in the next regular meeting.

2. An item on the business situation of Calexico.
3. A presentation on the project to open the bathrooms on the First Street.

Council Member Garcia requested the following future agenda items:

1. A Resolution for Mr. Legaspi, the father of Sergeant Legaspi for next meeting.
2. An item on a reopening plan for Covid or something that will help protect the staff and public as we begin the welcome everyone back.
3. An item for a strategic plan that the council has been talking about for a while; wants to revisit it and put it to work; believes the plan is crucial.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:15 p.m.

Rosie Arreola-Fernandez, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk