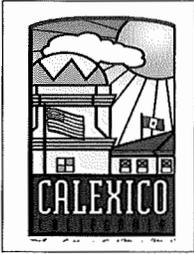


**AGENDA
ITEM**

4



AGENDA STAFF REPORT

DATE: May 1, 2019
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *MD for D.D.*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *GT*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of April 3, 2019 and April 17, 2019

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Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of April 3, 2019 and April 17, 2019.

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 April 3, 2019 and April 17, 2019 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 April 3, 2019 and April 17, 2019.

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| AGENDA ITEM <i>4</i> |
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THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 3RD DAY OF APRIL, 2019 AT 5:30 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.

CLOSED SESSION AGENDA – 5:30 P.M.

CALL TO ORDER

Mayor Pro Tem Hodge called the closed session portion of the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Council Member: David Romero
Council Member: Rosie Arreola-Fernandez
Council Member: Morris Reisin

ABSENT:

ABSENT:

Mayor Pro Tem: Bill Hodge
Mayor Pro Tem Hodge arrived at 5:32 p.m.

ADJOURN TO CLOSED SESSION.

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)
The People of the State of California v. Santo Tomas, Inc., et al,
Imperial County Superior Court, Case No. ECU000792

Council reconvened from closed session at 6:20 p.m.

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

REGULAR SESSION AGENDA - 6:30 PM

CALL TO ORDER

Mayor Pacheco called the regular portion of the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT:

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

PLEDGE OF ALLEGIANCE

Assistant City Manager Figueroa led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

City Manager Dale led those present in reciting the City’s Mission Statement

INVOCATION

Invocation was given by Pastor Frank Zazueta, Christ Community Church.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported council met in closed session and there were no items to report.

APPROVAL OF THE AGENDA

City Attorney Campos requested to add the following emergency item – Resolution Strongly Opposing the Proposed Closure of the Mexico/United States Border Crossing. Item would be added as Item No. 8 of the open agenda.

Motion made by Mayor Pro Tem Hodge, seconded by Council Member Romero and passed unanimously to approve the agenda with the addition of emergency item no. 8 - Resolution Strongly opposing the proposed closure of the Mexico/United States Border Crossing.

PRESENTATIONS

PROCLAMATION CELEBRATING NATIONAL LIBRARY WEEK – APRIL 7-13, 2019.

Mayor Pacheco and Council Members read the Proclamation Celebrating National Library Week – April 7-13, 2019. Mayor Pacheco and Council Members presented the proclamation to Ms. Sandra Tauler, Community Services Director.

PROCLAMATION CELEBRATING NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK – APRIL 14-20, 2019.

Mayor Pacheco and Council Members read the Proclamation Celebrating National Public Safety Telecommunications Week – April 14-20, 2019. Mayor Pacheco and Council Members presented the proclamation to Chief Gonzalo Gerardo and Dispatcher Veronica Valenzuela. Chief Gerardo commended the dispatchers for the work they carry out for the citizens and the department.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Heather White spoke on Facebook posting regarding the euthanizing of dogs and cats. She spoke on the work being carried out to rescue animals and transport them to the appropriate facilities.

Joong Kim spoke about criticisms against the city and Santo Tomas merchants losing their jobs and discussed the regulations being imposed by the City which is negatively affecting the merchants and local businesses. He asked the City for a conclusion to the Santo Tomas matter in order to help the citizens.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Mayor Pro Tem Kim commented on Facebook postings pertaining to the animal control operation, euthanizing of animals and comments regarding the city corruption. He acknowledged and thanked the citizens that have volunteered their time at the animal shelter. He addressed comments regarding the Humane Society and advised that due to budget constraints, the city cannot afford a contract with the Humane Society. He further stated the city is providing quality service and has a relationship with the San Diego Humane Society and various rescuers.

Mayor Pacheco reported on the Autism Event on April 2, 2019 which recognized Autism. He met with IVT regarding ridership in the Valley.

CITY MANAGER'S REPORT

City Manager Dale addressed the issue of euthanizing animals in Calexico and informed there was only dog euthanized in order to stop his suffering due to a car accident.

Assistant City Manager Figueroa informed Calexico was awarded \$500,000 through the Housing and Community Development (HCD) HOME Program for the First Time Homebuyer and Housing Rehabilitation Programs. He informed a \$3 million CDBG grant application was submitted for funding for the Calexico Fire Station and will submit another application for \$160,000 through HCD SB2 Planning Grant Program to update the City's General Plan.

CONSENT AGENDA

Joong Kim spoke on Item No. 6 and stated the City was going to charge more fuel taxes to the residents for Yourman and Scaroni Roads. He spoke against charging more fuel taxes to the community through registration fees and asked the City focus on citizen benefits.

City Manager Dale advised the SB1 is a state initiative approved by the California Senate.

Joong Kim spoke on Item No. 7 and stated he believed that if it went through the bid process there would be a lower cost than through the purchasing cooperative. He stated he feared the City was doing its due diligence to lower costs for the city.

City Manager Dale stated the city is piggy backing on another bid which saves time on bidding and costs.

Motion made by Mayor Pro Tem Hodge, seconded by Mayor Pacheco and passed unanimously to approve the consent agenda consisting of Items 4, 5, 6, 7 & 8 as follows: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of February 20, 2019; Warrants from March 2, 2019 to March 15, 2019 and Salaries from March 2, 2019 to March 15, 2019; Resolution of the City Council of the City of Calexico Adopting a List of Projects for Fiscal Year 2019-2020 Funded by SB1: The Road Repair and Accountability Act of 2017; Approve BuyBoard National Purchasing Cooperative Interlocal Participation Agreement; Resolution of the City Council of the City of Calexico Strongly Opposing the Proposed Closure of the Mexico/United States Border Crossing.

DISCUSSION AND POTENTIAL ACTION ITEMS

INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 2019-_____, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, AMENDING SECTION 2.02.110 AND CHAPTER 2.07 OF THE CALEXICO MUNICIPAL CODE REGARDING THE APPOINTMENT PROCESS AND DUTIES OF THE CITY CLERK.

Joong Kim spoke against having the City Clerk under the direction of the City Manager and expressed his concerns over past practices by the City Manager and stated the City Clerk should be an independent position and the Council should secure the position so the City is not placed at risk again.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to approve the first reading of an Ordinance of the City Council of the City of Calexico, Amending Section 2.02.110 and Chapter 2.07 of the Calexico Municipal Code Regarding the Appointment Process and Duties of the City Clerk.

City Attorney Campos read the ordinance by title only as follows: An Ordinance of the City Council of the City of Calexico, Amending Section 2.02.110 and Chapter 2.07 of the Calexico Municipal Code Regarding the Appointment Process and Duties of the City Clerk

ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, AMENDING TITLE 17 (ZONING), CHAPTER 17.11, ARTICLE X OF THE CALEXICO MUNICIPAL CODE INCREASING THE NUMBER OF RETAIL CANNABIS APPLICANTS ALLOWED TO OPERATE WITHIN THE CITY.

Assistant City Manager Figueroa provided a detailed staff report on the ordinance, a history of the cannabis applications projects, he addressed details on cannabis applications received and the procedures to be followed for the approval of applicants. He also explained the reasons leading to the request for an increase in licenses from five to seven licenses. Mr. Figueroa answered questions from council members regarding the application and license process.

Motion made by Mayor Pro Tem Hodge to adopt Option 2 increasing the number retail cannabis permits from five to seven. Motion was seconded by Council Member Arreola-Fernandez and passed unanimously.

City Attorney Campos read the ordinance by title only as follows: An Ordinance of the City Council of the City of Calexico, California, Amending Title 17 (Zoning), Chapter 17.11, Article X of the Calexico Municipal Code Increasing the Number of Retail Cannabis Applicants Allowed to Operate within the City.

Carlos Fonseca, 1821 Elena Drive addressed the Council regarding the filing process for the cannabis applications. He expressed concerns over transparency and asked for clarification on the process for accepting the cannabis applications. Assistant City Manager Figueroa advised the applicants can apply to the City, however, if they do not receive the approval from the State of California there will be no permit issued by the City and there is no license being issued at this time.

AUTHORIZE THE CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CALEXICO AND THE CITY OF EL CENTRO FOR TREE PLANTING IN THE CITY OF CALEXICO.

City Manager Dale stated the city will plant trees in parks with irrigation. He advised the City of El Centro received the grant and is sharing with the cities.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to authorize the City Manager to Sign Memorandum of Understanding between the City of Calexico and the City of El Centro for Tree Planting in the City of Calexico.

CALEXICO REDEVELOPMENT SUCCESSOR AGENCY

APPROVAL OF A PURCHASE AND SALE AGREEMENT BETWEEN THE SUCCESSOR AGENCY AND RUBEN TERCERO RAMIREZ REGARDING 220 AVENIDA CAMPILLO, CALEXICO, CALIFORNIA 92231 (APN 058-061-009)

Joong Kim addressed the Council regarding bonds and expressed his concerns over the sale of the land and suggested keeping the property for a project.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to approve a Purchase and Sale Agreement between the Successor Agency and Ruben Tercero Ramirez Regarding 220 Avenida Campillo, Calexico, California 92231 (APN 058-061-009).

FUTURE AGENDA ITEMS

Mayor Pro Tem Hodge requested the following items: Action plan for the downtown, business cards for commissioners, and discussion on removing commissioners due to lack of attendance.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:55 p.m.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 17TH DAY OF APRIL, 2019 AT 5:30 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.

CLOSED SESSION AGENDA – 5:30 P.M.

CALL TO ORDER

Mayor Pro Tem Hodge called the closed session portion of the meeting to order at 5:33 p.m.

ROLL CALL

PRESENT:

Mayor Pro Tem: Bill Hodge
Council Member: David Romero
Council Member: Rosie Arreola-Fernandez
Council Member: Morris Reisin

ABSENT:

Mayor: Lewis Pacheco
Mayor Pacheco arrived at 5:35 p.m.

ADJOURN TO CLOSED SESSION.

Council adjourned to closed session at 5:35 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
The People of the State of California v. Santo Tomas, Inc., et al,
Imperial County Superior Court, Case No. ECU000792
2. PUBLIC EMPLOYEE APPOINTMENT
Title: City Clerk
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

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

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

REGULAR SESSION AGENDA - 6:30 PM

CALL TO ORDER

Mayor Pacheco called the regular portion of the meeting to order at 6:38 p.m.

ROLL CALL

PRESENT:

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

PLEDGE OF ALLEGIANCE

Assistant City Manager Figueroa led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

City Manager Dale led those present in reciting the City's Mission Statement

INVOCATION

Invocation was given by Father Manuel Sanahuja, Our Lady of Guadalupe Catholic Church.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported direction was given, no reportable action

APPROVAL OF THE AGENDA

Motion was made by Mayor Pro Tem Hodge, seconded by Council Member Romero and passed unanimously to approve the agenda as presented.

PRESENTATIONS

PRESENTATION BY CHIEF FAVILA – UPDATE ON THE CALEXICO FIRE DEPARTMENT.

GET THE PRESENTATION FROM CHIEF

Chief Diego Favila presented an overview of the Calexico Fire Department duties and services such as fire/rescue operations, emergency medical services, fire prevention, fire investigations, public relations at Calexico schools with presentations on fire safety. Chief Favila provided on call volume statistics handled by the Department. The service calls are serviced daily with two engines, one ambulance and eight firefighters. Call volumes for Calexico are on an annual increase. Chief provided the goals for the department such as the implementation of the CERT Program for

natural disasters, increase in Haz-Mat Personnel, Increase Minimum Staffing from eight to ten employees, running a second ambulance full time and transition from paper to electronic. Chief reported the department has recently implemented an ambulance rate study, fire alarm fee schedule, CERT program, the hiring of six new firefighters and two additional Haz-Mat technicians, the approval of the new fire station. Chief Favila answered questions from the Council Members regarding ambulance services and fees.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Houssaim Yousif Mariam, Five Brothers Gas Station spoke on problem with five crime cases regarding crimes against his property with no follow-up from the Calexico Police Department.

Joong Kim addressed his concerns with the council and the lack of public safety in the City and questioned the progress being reported for the city.

Alex Perrone addressed council regarding the recognition and encouragement of staff.

Victor Legaspi recognized Chief Gerardo and Chief Favila for their work. He spoke on community policing with the City schools and announced they are working with the Rotary Club on the Easter Egg Hunt which will take place on Saturday, April 20, 2019 at Crummet Park.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Romero congratulated Mayor Pacheco on the State of the City Address. He announced a commitment from Congressman Juan Vargas on federal funding for the Calexico Fire, Police and traffic control. He provided a statement regarding Santo Tomas and advised the City does not want to tear down Santo Tomas to put a street through on the property. He expressed concerns and dispelled the rumor that the city wants to close Santo Tomas. He further stated the City is working on re-opening Santo Tomas.

Mayor Pro Tem Hodge stated he is also striving to quickly reopen Santo Tomas for the families. He commented on the commissions and requested they work on a five year master plan and improve their by-laws and monitor and report absences to the City Clerk and make quarterly reports to the City Council. He also suggested the council members should attend the commission meetings.

Council Member Arreola-Fernandez commended Mayor Pacheco on the State of the City Address and thanked the staff for their work.

Council Member Reisin commended Mayor on the State of the City. He announced the Car Show on May 4, 2019 in the downtown. He spoke on Santo Tomas and stated he too is working on getting the swap meet open again.

Mayor Pacheco expressed his sentiments on working with Santo Tomas towards a solution. Mayor spoke on providing security for the President's visit. He spoke on the news media coming to Calexico during President Trump's visit and shared messages from the public regarding the various interviews given to the news media.

CITY MANAGER'S REPORT

City Manager Dale spoke on the swimming pool and informed the Heffernan Memorial Healthcare District will be funding the swimming pool for limited hours during the summer.

Miguel Figueroa reported on car show in the downtown on May 4, 2019 as a result of a BID meeting held in the month of April. He spoke about keeping the community informed of funding coming to the City and advised the city is seeking funding through the U.S. Department of Agriculture (USDA) for temporary shelters for the farmworker population coming to work in our fields. He reported attending the ribbon cutting for the new state of the art plasma center at the one-stop building and stated the company is looking at expanding within the City.

Mayor Pacheco stated the plasma center has seventy employees working at this new facility.

CONSENT AGENDA

Joong Kim expressed his concerns on the City Clerk position being under the City Manager and stated he felt the position should be independent from the City Manager or it could revert to being an elected position.

Mayor Pro Tem Hodge expressed his concerns about placing items on the agenda or for a special meeting. City Manager advised that a request from two city council members automatically places on the item on the agenda and items could also be requested during the future agenda items on the agenda.

Motion made by Council Member Romero, seconded by Council Member Arreola-Fernandez and passed unanimously to approve the consent agenda consisting of items 5, 6, 7, 8 and 9 as follows: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of March 20, 2019; Authorize City Manager to File Notice of Completion for Deteriorated Sewer Manhole on 300 Block of Cesar Chavez Blvd; Second Reading and Adoption of Ordinance No. 1198 – An Ordinance of the City Council of the City of Calexico, Amending Section 2.02.110 and Chapter 2.07 of the Calexico Municipal Code Regarding the Appointment Process and Duties of the City Clerk; Adopt a Resolution Approving a Job Description and Setting Forth a Pay Range for the Position of City Clerk; Resolution of the City Council of the City of Calexico Authorizing the Mayor to Endorse the Agreement for Landscape Maintenance within State Highway Right of Way on Route 98 within the City of Calexico.

DISCUSSION AND POTENTIAL ACTION ITEMS

APPROVE THE CITY OF CALEXICO FIVE (5) YEAR PROGRAM PROJECTS 2019-2024 FOR ROAD PROJECTS TO BE FUNDED BY IMPERIAL COUNTY LOCAL TRANSPORTATION AUTHORITY (LTA) SALES TAX REVENUE BOND.

City Manager Dale stated the Program Projects it a requirement for funding through Measure D. He informed staff has criteria for selection of streets and they consider resident input.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to approve the City of Calexico Five (5) Year Program Projects 2019-2024 for Road Projects to be funded by Imperial County Local Transportation Authority (LTA) Sales Tax Revenue Bond.

Joong Kim stated the project is spending double the cost needed and should not approve the Measure D anymore. He stated the funding is received each year and there is no need to borrow money and pay interest. He expressed his concerns on the poor work carried out on prior projects.

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 3 WITH HAZARD CONSTRUCTION IN THE AMOUNT OF \$35,735.00 FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS PROJECT NO. 2018-100.

City Manager Dale advised this is work was needed to complete the Cesar Chavez Blvd. Project.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to approve Change Order No. 3 with Hazard Construction in the amount of \$35,735.00 for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets Project No. 2018-100.

2018-19 3RD QUARTER BUDGET STATUS REPORT AND APPROVAL OF PROPOSED BUDGET AMENDMENT RESOLUTION.

Joong Kim spoke on hiring of public safety personnel for the protection of people. He stated he felt the budget was not a responsible document and the city was overspending and addressed audits on the City.

Karla Lobatos, Finance Director provided a detailed 3rd Quarter Report for fiscal year 2018-19 revenues and expenditures. She informed the fiscal year net impact to revenues of \$ 451,248 and reported on the Net Internal Changes/Transfers and Net Impact to Revenues of \$385,192. She detailed the budget expenditures, stated a savings of \$30,000 and reported on employee vacancies. Ms. Lobatos provided the 2018-19 General Fund Net of Internal Changes/Transfers with operating results of \$856. She informed the city is continuously making adjustments and is moving in the right direction.

Ms. Lobatos also provided the timeline for budget season 2019-2020 which began on April 15, 2019 and is expected to be presented on June 19, 2019 for adoption.

Assistant City Manager Figueroa provided information and answers on question by Mayor Pro Tem Hodge on the City's brochure. Mayor Pro Tem Hodge addressed the improvements made to bring the City back from possible bankruptcy and thanked staff.

Motion made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to approve the proposed budget amendment resolution.

FUTURE AGENDA ITEMS

Council Member Romero requested an item on City Ordinances.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:25 p.m.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk