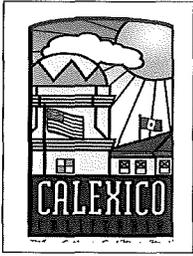


**AGENDA
ITEM**

7



AGENDA STAFF REPORT

DATE: June 5, 2019
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *DK for D.D.*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *[Signature]*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of January 24, 2018, February 7, 2018 and May 15, 2019

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of January 24, 2018, February 7, 2018 and May 15, 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 January 24, 2018, February 7, 2018 and May 15, 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 January 24, 2018, February 7, 2018 and May 15, 2019.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 24TH DAY OF JANUARY 2018 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.

CLOSED SESSION – 5:30 P.M.

CALL TO ORDER

Mayor Hurtado called the Closed Session portion of the meeting to order at 5:39 pm.

ROLL CALL

PRESENT

Mayor: Maritza Hurtado
Mayor Pro Tem: Lewis Pacheco
Council Member: Bill Hodge
Council Member: Armando Real

ABSENT

Council Member: Jesus Eduardo Escobar

ADJOURN TO CLOSED SESSION

The City Council adjourned to Closed Session at 5:39 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Rudy Alarcon v. City of Calexico (Arbitration - Discipline Appeal)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency Representatives: David Dale, Interim City Manager, Carlos Campos, City Attorney
Employee Organizations: Calexico Municipal Employees Association, Fire Fighters Association, Certified Operators Association/SEIU Local 221, Calexico Police Officers Association, Calexico Management Association, Calexico Supervisors Association

3. PUBLIC EMPLOYEE EVALUATION

Government Code 54957(b)
Title: Interim City Manager

The City Council reconvened from closed session at 6:42 p.m.

CLOSED SESSION ANNOUNCEMENTS

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

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

REGULAR SESSION AGENDA - 6:30 PM

CALL TO ORDER

Mayor Hurtado called the meeting to order at 6:42 pm.

ROLL CALL

PRESENT

Mayor: Maritza Hurtado
Mayor Pro Tem: Lewis Pacheco
Council Member: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Armando Real

PLEDGE OF ALLEGIANCE

Mayor Hurtado led those present in the Pledge of Allegiance.

INVOCATION

Reverend from First Christ led those present through a prayer.

APPROVAL OF THE AGENDA

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Pacheco to approve the agenda as presented. Motion passed by the following vote to wit:

AYES: Hurtado, Escobar, Pacheco, Hodge, Real
NOES: None
ABSENT: None

PRESENTATIONS

PRESENTATION OF EMPLOYEE OF THE QUARTER AWARD

Employee of the Quarter award was presented to Mr. Jose Saldana for his hard work. Mr. Saldana has worked with the City since 1991.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Ben Horton commented on the value of properties going down due to cars being parked in the yards. He mentioned seeing this in the IV Press and suggested the city take action and make an ordinance that prohibits said activities.

Jason Jung mentioned a rumor he had heard concerning the police department and how some officers had received settlement money. He commented that previous council members had made poor choices concerning money issues, criminal charges and stated his belief that the removal of ambulatory services from the Fire Department will be very unfair not just to the department but also the community of Calexico.

Mr. Joong Kim commented how money is owed to the city by Gran Plaza and the Council is not collecting it. He advised the council if they could not hold the job they should either quit or really serve the community.

Javier Gonzales, thanked the city on behalf of Kennedy Gardens Neighborhood Watch. He expressed his support towards Mr. Saldana when he took over the parks. He thanked City Manager Dale for being the first city manager to respond to their inquiries and announced the second health and safety fair will be held this year on April 28th.

Dr. Bahrambeygui expressed his concern over his belief that his son is being sentenced unjustly because of his name. He asked the council and those present to be kind to his family.

Jesus Gallardo recalled seeing a Facebook discussion that mentioned the closure of the Fire Department. Mr. Gallardo inquired if there was something to be done in order to not close the Fire Department on the west side of the tracks because removing that Fire Department would leave the west side with no emergency services and there are schools and children in the area.

Ismael Lopez commented on the non-approval from Heffernan Memorial Healthcare District (HMHD) of supporting the city of Calexico with firefighters and ambulance. He asked the city council if they could reroute the funds the HMHD receives to the city. He also inquired if the council could negotiate with the county so the money that HMHD receives can benefit the city of Calexico.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Escobar congratulated Sandra Tauler for being named to the State Library Commission. He commented on his visit to the Spud Moreno Senior Apartments and reported they have been without light for the past three months.

Mayor Pro Tem Pacheco reminded those present that there are two new stores, one at gran plaza and the second being community bank moving from Walmart area to another location in Calexico.

Council Member Hodge commented on various issues with the Measure H Committee. He stated he believed the council is overlooking the commissions and further stated the need to swear in commissioners in some systematic matter.

Council Member Real inquired if the Spud Moreno Apartment lights being out was a Calexico housing authority issue.

Council Member Hurtado mentioned that the month of January has been very busy in Calexico. She spoke on a meeting regarding the Mayors' summit, her trip to the Gran Plaza Outlets' Mangiamos Pizza and advised of Antojitos Como en Casa was coming to Calexico.

CONSENT AGENDA

Mayor Hurtado pulled Item No. 08 for discussion.

Motion was made by Council Member Escobar, seconded by Council Member Real and passed unanimously to approve the consent agenda consisting of the following: Warrants from December 25th 2017 to January 15th and City Salaries & Benefits from December 23rd to January 5th, 2018; Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 20168 Finding that an Emergency Exists Due to the Need for a New Variable Frequency Drive at the Water Treatment Plant and Authorize Contracting without the need for Binding Pursuant to PCC Section 22050; Resolution of the City Council of the City of Calexico Authorizing the Interim City Manager to Execute a Grant of Easement/Pipeline(s) and Certificates of Acceptance for the City's Acquisition of Fee Simple Interests, a Permanent Sewer Easement Interest in a Portion of Assessor's Parcel Number 058-400-020, for the Expansion of Sewer Lift Station; Authorize the Interim City Manager to Sign Change Order No. 2 with Control System Engineering, Inc. in the amount of \$51,899.45 for the Water Treatment Plant Emergency Generator Project No. 2017-100.

ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 08 - ADOPT BUDGET AMENDMENT RESOLUTION FOR SPORT LIGHTING AT JOEL REISIN FIELD.

City Manager Dale stated the City received a \$150,000 grant from IID to install lighting at Reisin field. He informed the city has received half the money and has begun on the engineering and construction on the project should be started by March. He further stated there is a need for a budget amendment resolution for the funding.

Motion was made by Council Member Real, seconded by Council Member Hodge and passed unanimously to approve the budget amendment resolution for sport lighting at Joel Reisin Field.

DISCUSSION AND POTENTIAL ACTION ITEMS

HOPE PHARMACY – BUSINESS LICENSE LATE FEE WAIVER REQUEST

Council Member Hurtado advised she could not vote because she had a conflict due to being in business with Hope Pharmacy.

Motion was made by Council Member Real, seconded by Council Member Hodge to table the item. Motion passed by the following vote to wit:

AYES:	Escobar, Pacheco, Hodge, Real
NOES:	None
ABSENT:	None
ABSTAIN:	Hurtado

AUTHORIZE THE INTERIM CITY MANAGER TO SIGN CHANGE ORDER NO. 1 WITH WILLDAN IN THE AMOUNT OF \$13,500 FOR THE EMS USER FEE STUDY.

City Manager Dale commented on the water rate study being done and mentioned they would like to take advantage of that study going to move forward on a rate study for the ambulance rates which are low.

Motion was made by Council Member Real, seconded by Council Member Escobar to authorize the Interim City Manager to sign Change Order No. 1 with Willdan in the amount of \$13,500 for the EMS user fee study. Motion passed unanimously.

2017-2018 MIDYEAR BUDGET REPORT AND PROPOSED BUDGET AMENDMENT

Ms. Susan Meyer presented the mid-year budget report. She mentioned the City's Finance Department has prepared quarterly reports in order to keep transparency. She stated that the Council made tremendous advancement financially. She also mentioned the \$700,000 that the city was counting on for the ambulatory services is no longer available and reported the general fund has no reserves.

Council Member Real asked Ms. Meyer to please explain self-insurance to those present. Ms. Meyer explained that due to the amount of claims the city received they no longer were able to go into a shared insured group which resulted in the city having to self-insure. She stated the \$3.2 million gap has now been lowered to \$700,000. She further stated the \$700,000 amount has to be closed in the upcoming five and a half months. She further stated the general fund is already behind due to the fact that the city had to pay \$280,000 in order to stay up to date in the CFD commitment. She spoke on a transfer of Measure H surplus to general fund which would add \$410,000 to the budget. Ms. Meyer projected there will be \$1,000,000 in savings. She commented that the city has negotiated with JPIA to commence a retro-payment plan which had lowered the payments from \$840,000 to \$40,000 and even though the plan leads to a million dollar savings, the city would have to pay interest. She also stated the city needs long term solutions that will help restore the reserve and recommended the city not acquire more debt and gave examples as to why it is not wise due to the fact that the Council is still trying to repay their debts. She mentioned that the Fire Mutual Aid will bring in revenue, and so will the cannabis applications depending on how many applications the city receives.

Council Member Escobar stated that the issue is black and white and the city needs long term solutions, not temporary fixes.

Mayor Pro Tem Pacheco commented how they are short changing the city and if something catastrophic were to happen, the city is not going to have enough resources to act. He advised the city take a good close look at what they are going to do in the upcoming months.

Council Member Real directed his comment to Ms. Meyer regarding the debt and how they have no revenue to cover the \$2 million that is owed. He explained how the city went to the tax payers for Measure H funding and how that money is gone and now the city is going after Heffernan Memorial Healthcare District. He stated his hopes that the Council makes the right decision.

Council Member Hodge asked Mayor Pro Tem Pacheco to reiterate the temporary fixes the city has had, he mentioned layoffs and freezes and inquired on what long term solutions would actually work. Ms. Meyers mentioned that Calexico is not the only city that has faced financial challenge and advised raising revenues and adjusting the level and cost of services. Council Member Hodge asked if the only solution would be to outsource. Ms. Meyers responded she did not have an answer and Council would have to make that decision.

Council Member Escobar mentioned the city of Stockton declared bankruptcy and asked Ms. Meyer how close the city is to filing for bankruptcy. Ms. Meyer explained that the city of Stockton had a debt service where they issued seven bonds and they negotiated with all the employee groups and made cuts. Stated that the debt that Calexico has is to their employees not outside sources.

Mayor Hurtado commented on the liabilities happening from deals that the city manager is doing. She stated the city should understand where that information was lost and do better. She further commented how all departments are running a skeleton crew.

Council Member Real mentioned there is no accountant on staff and recalled that when he started his term he requested financials and did not receive them, due to the software. He asked if there was a way to improve communication and expressed his concern over not having an accountant.

Joong Kim stated his understanding towards the city's short fall of \$700,000. He commented on Council Member Real's treatment of the public and suggested the city sell the gun club to Gran Plaza in order to obtain revenue and have management's job done by one person in order to be able to lower the \$700,000 amount.

Ben Horton suggested City Council and the Interim City Manager come up with plans and help be part of the solution and not part of the problem.

Mr. Gallardo stated he did not understand half of the presentation from Ms. Meyers and inquired if there was a way he could find the information in the presentation in a form easier to understand. He also suggested the presentation be made to the commission.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Hodge to accept the addition to Item Number 12, Resolution 2018-XX with the Adjusted Revenue Budget as presented. Motion passed by the following vote-to-wit:

AYES: Hurtado, Pacheco, Escobar, Hodge
NOES: None
ABSENT: Real

CONSIDERATION OF REQUEST BY GRAN PLAZA LP TO EXTEND EXPIRATION OF TENTATIVE MAP FOR THREE YEARS PURSUANT TO GOVERNMENT CODE SECTION 66452.6(E).

Item No. 13 was tabled.

APPOINTMENT OF DELEGATE MEMBER AND ALTERNATE MEMBER TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL CONFERENCE AND GENERAL ASSEMBLY, MAY 2-4, 2017 IN INDIAN WELLS, CALIFORNIA.

Mayor Hurtado suggested she attend and Mayor Pro Tem with Pacheco as Alternate. Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member Escobar and passed by the following vote to wit:

AYES: Hurtado, Pacheco, Escobar, Hodge
NOES: None
ABSENT: Real

APPOINTMENT BY COUNCILMAN JESUS ESCOBAR TO THE PLANNING COMMISSION.

No appointment made.

APPOINTMENT BY MAYOR HURTADO TO THE LIBRARY, ARTS AND HISTORICAL COMMISSION

No appointment made.

APPOINTMENT BY MAYOR HURTADO TO THE BUSINESS IMPROVEMENT DISTRICT

Mayor Hurtado appointed Mr. Mark Holloway.

APPOINTMENT BY MAYOR HURTADO OF AN ADMINISTRATIVE HEARINGS OFFICER PURSUANT TO MUNICIPAL CODE SECTION 1.27.090/HEARING OFFICER

Mayor Hurtado appointed Mr. Ernie Medina.

**APPOINTMENT BY MAYOR HURTADO TO THE CENTINELA STATE PRISON
CITIZEN ADVISORY COMMITTEE.**

Mayor Hurtado appointed Mr. German Javier Jimenez.

**APPOINTMENT BY MAYOR HURTADO TO THE OVERSIGHT BOARD FOR THE
CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY.**

Mayor Hurtado appointed herself to the Oversight Board.

**APPOINTMENT BY MAYOR HURTADO OF ONE PRIMARY REPRESENTATIVE
AND ONE ALTERNATE TO THE IMPERIAL COUNTY TRANSPORTATION
COMMISSION (ICTC) BOARD.**

Mayor Hurtado appointed Council Member Hodge as the Primary Representative and Mayor Pro Tem Pacheco as the Alternate.

**APPOINTMENT OF PRIMARY REPRESENTATIVE AND ONE ALTERNATE TO THE
IMPERIAL VALLEY ECONOMIC DEVELOPMENT CORPORATION (IVEDC)**

Mayor Hurtado appointed Mayor Pro Tem Pacheco as the Primary Representative and Council Member Real as the Alternate.

ADJOURNMENT

There being no further business, meeting was adjourned at 8:30 p.m.

Maritza Hurtado, Mayor

ATTEST:

Erica La Cuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 7TH DAY OF FEBRUARY 2018 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.

CLOSED SESSION – 5:30 P.M.

CALL TO ORDER

Mayor Pro Tem Pacheco called the Closed Session portion of the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT

Mayor Pro Tem: Lewis Pacheco
Council Member: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Armando Real

ABSENT

Mayor: Maritza Hurtado

PUBLIC COMMENTS:

Norma Aguilar appealed to the Council regarding its intention to close the Fire Department. She questioned whether there had been a cost analysis prepared and presented to the citizens. She questioned why the city was hiring when it's preparing to eliminate critical services. She called to their attention to comments made by prior City Manager Villa regarding the Measure H funds balance rolling over to the general fund being a historical action. She stated she was contesting this action because there is no historical basis for it. Ms. Aguilar expressed her concerns for the balances still in the Measure H fund that could be utilized for the shortfall.

ADJOURN TO CLOSED SESSION

The City Council adjourned to Closed Session at 5:35 p.m. to discuss the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Representatives: David Dale, Interim City Manager, Carlos Campos, City Attorney
Employee Organizations: Calexico Municipal Employees Association, Fire Fighters Association, Certified Operators Association/SEIU Local 221, Calexico Police Officers Association, Calexico Management Association, Calexico Supervisors Association

2. PUBLIC EMPLOYEE APPOINTMENT

Title: Interim and City Manager

3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)

One (1) Claim: Department of Toxic Substances Control

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Leticia G. Rio v. The City of Calexico, USDC, Southern District of California

Case No. 18CV0070 DMS AGS

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

REGULAR SESSION AGENDA - 6:30 PM

CALL TO ORDER

Mayor Pro Tem Pacheco called the meeting to order at 6:45 p.m.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported council met in closed session on four items and no reportable action was taken.

ROLL CALL

PRESENT

Mayor Pro Tem: Lewis Pacheco
Council Member: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Armando Real

ABSENT

Mayor: Maritza Hurtado

PLEDGE OF ALLEGIANCE

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

INVOCATION

Pastor Frank Zazueta, Christ Community Church led those present through a prayer.

APPROVAL OF THE AGENDA

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

PRESENTATIONS**PRESENTATION/UPDATE BY DAVID KIM, ASSISTANT CHIEF PATROL AGENT, U.S. BORDER PATROL, EL CENTRO SECTOR REGARDING BORDER-FENCING PROJECT IN THE CALEXICO AREA.**

David Kim, Assistant Chief Patrol Agent provided a presentation on border fencing. He informed the area from the West Port of Entry to Grand Plaza is a landing mats style fence which cannot be seen through and is a danger to the agents. He informed that the El Centro sector has the highest number of assaults against agents anywhere on the southwest border and the majority of the assaults are taking place in this section of the fence. Mr. Kim provided background on the fence since the Secure Fence Act of 2006. He stated this project was not part of the Secure Fence Act and the need was identified in 2009 however, the funding did not become available until 2017. The replacement is for about 2.25 miles of fence. He provided video of persons crossing the border through the New River which is highly polluted. He stated the fence will be a safety measure for the agents but will also be good not only for Gran Plaza but other businesses coming to the area. He informed the wall design will be steel dollard style similar to the one on First Street and will stand approximately thirty feet tall. He informed construction will begin after February 12 and they have a 300 day window for completion of the project.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

James Beaver spoke on behalf of the police advisory commission and brought to the attention of the council that a person with a commercial rental business has not paid their business license for the past five years and verbally and brutally mistreated a female city employee to the point of emotional distress. He asked for Council action on this matter. He brought up an issue of residency for a police commissioner and asked for City Attorney response on the matter.

Norma Aguilar commented on resolution passed during the mid-year report was never brought before Measure H Committee who oversees the expenditures. She requested the Council consider following the set process. She expressed her concerns on monies being spent without approval of Measure H Committee.

Jason Jung expressed concerns for laying off the firemen and asked the council to try to keep them and not let them go.

Joong Kim stated he had requested an audit of Measure H when he was on the Council and commented on expenditure of funds without the proper process. He commented on sale of the Gun Club to the Redevelopment Agency to balance the budget. He commented the Council was misleading the public on the budget shortfalls and addressed the sales tax received from Gran Plaza.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Escobar stated the need to consider the employees when making decisions and be cognizant that Calexico serves the community and need to be fair and solve the problems for the community.

Mayor Pro Tem Pacheco stated the Council needs to take the citizens first and will work diligently to make the best decisions for the community.

Council Member Hodge stated the Council needs to be mindful during difficult times and stated the need to find options and would not like to see outsourcing and he is against it and lay-offs. He presented a SCAG report to the Councilmembers regarding local regulations and zoning requirements regarding cannabis.

Council Member Real commented on Measure H and the possible loss of the Fire Department. He addressed the expenditures and the need for the Police and Fire Departments. He addressed job creation, new businesses, outsourcing of services and the need to make the tough decisions so the City has funding for a rainy day.

Mayor Hurtado commented on the 110th Anniversary for the City of Calexico and advised the events will not be penetrating any taxpayer money whatsoever. She also stated community events taking place will be a learning experience for the citizens and students. She advised there will be sponsorships for the event and cooperation from San Diego State University. She commented on a meeting with Border Patrol/DEA and Mexicali Officials regarding the upcoming cannabis industry.

CITY MANAGER'S REPORT

City Manager Dale provided a detailed Capital Improvements Program (CIP) presentation. He advised all funding for the CIP projects is from grants and not from the general fund. City Manager presented projects for the Water Treatment Facility, Water Distribution System, Wastewater Treatment Plant, Wastewater Collection System, Transportation and Parks Capital Improvements.

DISCUSSION AND POTENTIAL ACTION ITEMS**(SUCCESSOR AGENCY TO THE CALEXICO
COMMUNITY REDEVELOPMENT AGENCY)**

ADOPT RESOLUTION APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE 18-19 A AND B OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO FOR THE PERIOD OF JULY 2018 THROUGH JUNE 2019 AND APPROVING CERTAIN RELATED ACTIONS.

Joong Kim suggested that the Council make a plan on the projects to be used to be brought into the City with a project so the State does not take over. He requested a copy of today's presentation.

Motion was made by Council Member Hodge to approve Resolution approving the Recognized Obligation Payment Schedule 18-19 A and B of the Successor Agency to the Redevelopment Agency of the City of Calexico for the period of July 2018 through June 2019 and approving certain related actions. Motion was seconded by Mayor Pro Tem Pacheco and passed unanimously.

CONSENT AGENDA

Motion was made by Council Member Real, seconded by Council Member Hodge and passed unanimously to approve the consent agenda consisting of items 6, 7 and 8 as follows: Warrants from January 16th 2018 to January 31st, 2018 and City Salaries & Benefits from December 6th, 2018 to January 19th, 2018; Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 20168 Finding that an Emergency Exists Due to the Need for a New Variable Frequency Drive at the Water Treatment Plant and Authorize Contracting without the need for Binding Pursuant to PCC Section 22050; Adopt amended Budget Amendment Resolution Approving the Transfer of Funds From the Fleet Department to Public Works Facilities - Building Maintenance.

DISCUSSION AND POTENTIAL ACTION ITEMS

INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA CONDUCTING A ZONING TEXT AMENDMENT PERTAINING TO ACCESSORY DWELLING UNIT REGULATIONS.

Ralph Morales, Building/Planning Manager gave presentation and provided background on Senate Bill 1069 and Assembly Bill 2299, which amended Section 65852.2 to streamline processing and encourage development of ADUs. He advised that given the recent amendments to state law, Government Code, Section 65852.2, the Zoning Code must be amended to meet the adopted legislation as it relates to ADUs. He stated the proposed changes include, but are not limited to:

1. Increasing maximum size of units to 1,200 square feet for detached ADUs, or 50% of the existing living area or 1,200 square feet for attached units.
2. Allowing uncovered replacement parking for a garage-conversion ADU.
3. Exceptions to the required parking.
4. Exceptions to setbacks for garage conversions to accessory dwelling units.

Mr. Morales answered questions from the Council. Motion was made by Council Member Real to approve the introduction and waive first reading of an Ordinance of the City Council of the City of Calexico, California conducting a zoning text amendment pertaining to accessory

dwelling unit regulations. Motion was seconded by Council Member Hodge and passed unanimously.

FUTURE AGENDA ITEMS

Council Member Escobar – Agenda item to make appointment to the Planning Commission.

Council Member Real – Requested prior agenda items requested be brought back to the Council.

Council Member Hodge – Requested an update on Measure H Committee.

Mayor Hurtado – Requested an item to discuss transportation issues in Calexico.

ADJOURNMENT

There being no further business, meeting was adjourned at 7:58 p.m.

Maritza Hurtado, Mayor

ATTEST:

Erica La Cuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 15TH DAY OF MAY 2018 AT 5:30 PM AT THE FERNANDO “NENE” TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEIXCO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLD OF SAID MEETING.

CLOSED SESSION – 5:30 P.M.

CALL TO ORDER

Mayor Pacheco called the closed session portion of the meeting to order at 5:36 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

PUBLIC COMMENTS.

Alberto Alvizu addressed the council and requested their assistance on a response on the issues with Santo Tomas. He requested the Council withdraw the bond and possibly withdraw the lawsuit against Santo Tomas. He expressed his concerns and stated he felt the council was being too harsh on the Santo Tomas vendors and requested their consideration.

Gabriela Uribe expressed her concerns with the lack of support by the council on a response to the issues with Santo Tomas. She supplicated with the Council for a quick response and solution to this matter.

ADJOURN TO CLOSED SESSION.

Council adjourned to closed session at 5:45 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. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
Three (3) Potential Cases

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 352 E. First Street

Agency Negotiation, David Dale, City Manager and Miguel Figueroa, Assistant City Manager

Negotiating Parties: Valley Orthopaedic Clinic, Inc.

Under Negotiation: Price and Terms

Council reconvened from closed session at 6:43 p.m.

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

REGULAR SESSION AGENDA

6:30 PM

CALL TO ORDER

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 Pledge.

INVOCATION

Invocation was given by Elder Trevor Sharp, Church of Jesus Christ of Latter Day Saints.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported there is an agreed date for mediation in the Santo Tomas litigation and hopefully we are able to resolve the litigation and reopen the swap meet as soon as possible. He informed that the City wants to offer the south parking lot at Santo Tomas as a potential site for the vendors. He further stated the vendors would need to apply for a temporary use permit.

City Manager Dale stated the Santo Tomas vendors need to apply for a temporary use permit. Mayor Pacheco asked the City Manager if the fee for the TUP could be waived if they already

have a sellers permit with Las Palmas. City Manager advised him the fee for the TUP was \$135 and only the Council could waive the fee.

Alberto Alvizu stated the two weeks is not a solution and the conditions under which they are being required to work are not a feasible option. He requested the Council withdraw the lawsuit against Santo Tomas and asked Council for action on this matter.

Gabriela Uribe pleaded with the Council allow them to enter the swap meet to begin to work at their former stalls.

Pedro Ortiz, addressed the Council regarding the current hardships being endured by the Santo Tomas merchants as a result of the lack of work. He expressed his doubt over the city's willingness to reopen the swap meet and city's ability to provide security for the citizens and merchants of Calexico.

Viridiana Osuna requested a quick solution to the problem due to the 180 families depending from the Santo Tomas Swap Meet.

APPROVAL OF THE AGENDA

Motion was made by Council Member Romero, seconded by Council Member Arreola-Fernandez and passed unanimously to approve the agenda as presented.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Mr. Kim, Assistant Chief Patrol Agent of the Border Patrol provided an update presentation on the Calexico International Border Wall Replacement/Upgrade. He advised the new project will be for a total eleven miles of border wall upgrades, eight miles to the west side of the city and three on the east to Barbara Worth Road. The Wall will be in the same steel bollard style as the border wall replaced in 2018 on the west side of the new port of entry. The new wall will be approximately thirty feet tall, it will be more substantial and allow agents to see through to the south side. He informed the project would include a bridge for the agents to cross the new river area. The project is scheduled to begin June 10, 2019 with a projected completion date of August 24, 2020. Mr. Kim answered questions from the Council regarding concertina wire and project funding for Calexico area project as part of a larger project of approximately 20 miles with San Diego and Yuma Sectors.

Francisca Alvizu requested the Council to assist the merchants with a quick resolve on the Santo Tomas issue requested consideration to the merchants' plight.

Alberto Alvizu discussed swap meet commerce in Calexico and stated the loading and unloading will not work in Calexico. He further stated the need to find a system that will work for both the Las Palmas and Santo Tomas swap meets.

Pedro Ortiz requested clarification on reopening their business and asked if they will be charged a new license. He asked what guarantee they will be given that the swap meet will reopen once they pay for a new license. He once again requested administration negotiate with Santo Tomas.

Joong Kim stated his dissatisfaction with the City's service to the public and lack of support to the Santo Tomas merchants.

Jack Tapia, 20 Kincaid, welcomed Council Member Reisin and Council Member Arreola-Fernandez to the city council and requested Council Member Reisin keep his promise to clean up the downtown stench. He commented on the persons begging the council to allow them to go back to work. He expressed his belief that people should learn English because it is an essential international language.

Alex Perrone spoke in support of Santo Tomas and recalled working at Santo Tomas to make ends meet with his downtown business. He stated his concerns over the closure of Santo Tomas followed by the closure of Applebee's due to lack of traffic in the area. He cautioned the city because the city is not generating revenues with the closure of Santo Tomas. He recommended the City to solve the issues without the judicial system to allow the merchants to return to work.

Armando Martinez spoke in support of the Santo Tomas Merchants and their hardship due to the swap meet not reopening. He commented on the positive results from the Calxico Car Show and requested the Council work on the downtown clean up.

Arturo Medina spoke in support of the Santo Tomas merchants and asked for a solution to the issues so the families can return to work. He addressed the water rate increase and asked if the council would consider revisiting this issue.

Linda Lara, Santo Tomas merchant requested the Council continue the meeting until they can provide the merchants with a response to the matter.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Mayor Pacheco asked the City Manager if the Temporary Use Permit (TUP) fee could be waived. City Manager Dale stated the fee could be waived for two weeks until can be taken to Council for ratification on June 5th. He further stated the merchants would have to apply for a TUP.

City Attorney Campos stated direction could be given to hold off on the fee payment until an action item could be taken to the next council meeting to waive the fee.

Assistant City Manager Figueroa addressed the business license issue and advised the merchants have inquired business license issue. He asked for direction on the merchants having to pay an additional business license fee.

Mayor Pro Tem Hodge suggested waiving fees for both the TUP and business license. Direction was given to City Manager.

City Attorney Campos stated the meeting with the mediator will be in a couple of weeks and hopes for resolve to the open case with the court.

Juan Carlos Gonzalez addressed the council and requested a viable method of business for the merchants. He stated the need to approximate reality and the merchants can accept the proposal for the south parking lot however this will be at a cost which will only pay for the payroll. He addressed the many concerns with the proposal made by the City and the current litigation. He further stated Santo Tomas has supported its merchants.

Carlos Campos stated the points made by Mr. Gonzalez are the points that will be addressed in mediation.

CONSENT AGENDA

Joong Kim spoke on Item No. 8 and stated his support for the Cole Road Improvements and stated it is time for the Council to show the community that the city wants to fix the problems.

Motion was made by Mayor Pro Tem Hodge, seconded by Council Member Romero and passed unanimously 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 January 3, 2018, December 5, 2018 and May 1, 2019; Warrants from March 16, 2019 to March 29, 2019 and City Salaries from March 16, 2019 to March 29, 2019; Warrants from March 30, 2019 to April 12, 2019 and City Salaries from March 30, 2019 to April 12, 2019; Warrants from April 13, 2019 to April 26, 2019 and City Salaries from April 13, 2019 to April 26, 2019; Adopt Budget Amendment Resolution for Fund #452 Cole Road Improvements; Adopt Three Resolutions Approving the Following: a. TDA Article 8(e) Application, Claim and Resolution for 16,965.00; b. TDA Article 8(e) Application, Claim and Resolution for \$25,000.00; c. TDA Article 3 Application, Claim and Resolution for \$34,655.00; Second Reading and Adoption of Ordinance No. 1200 – An Ordinance of the City Council of the City of Calexico, California, Amending Chapters 17.05, 17.07, and 17.11 of Title 17 (Zoning) of the Calexico Municipal Code Regarding Cannabis Testing Laboratories.

DISCUSSION AND POTENTIAL ACTION ITEMS

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 1 WITH PYRAMID CONSTRUCTION AND AGGREGATE, INC. IN THE AMOUNT OF \$20,000.00 FOR DE LAS FLORES STREET IMPROVEMENT FEDERAL-AID PROJECT NO. CML-5168(030)

City Manager Dale stated the change order was due to an old foundation that needed to be removed and there is a need for additional drainage for the project.

Motion was made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to authorize the City Manager to sign change order no. 1 with Pyramid Construction

and Aggregate, Inc., in the amount of \$20,000.00 for De Las Flores Street Improvement Federal-Aid Project CML-5168(030).

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 6 WITH PYRAMID CONSTRUCTION AND AGGREGATE, INC. IN THE AMOUNT OF \$62,815.10 FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL-AID PROJECT NO. HPLUL-5168(017)

Joong Kim stated the city approved the project bid and questioned the amount of times there have been changes increasing the expenditures. He asked the projects been done right without constant changes.

City Manager Dale stated the changes to the project were made to improve due to aesthetics since direction was given to improve the aesthetics of the area. He stated the current change order is for safety with the installation of a safety wall, sidewalk and safety signs to address the speed limits in the area.

Motion was made by Mayor Pro Tem Hodge, seconded by Council Member Romero and passed unanimously to authorize the City Manager to sign change order no. 6 with Pyramid Construction and Aggregate, Inc. in the amount of \$62,815.10 for Cesar Chavez Blvd. Improvements Federal-Aid Project No. HPLUL-5168(017).

APPROVAL OF THE FIRST AMENDMENT TO THE EXCLUSIVE LISTING AGREEMENT FOR COMMERCIAL REAL PROPERTY WITH FARIS LEE INVESTMENTS, INC.

Miguel Figueroa explained the responsibilities under the Long Range Management Plan for properties under the jurisdictions of the Redevelopment Agency. He informed Faris Lee Investments, Inc. has not been able to find a suitor for the theatre property and staff is requesting an extension of their agreement to September. He further stated the City is planning to sell only the land and not the theatre.

Mayor Pro Tem Hodge asked if the sale of the land could be made with the condition that the theatre stay. Mr. Figueroa stated the city can make a recommendation that the existing lease with Metropolitan be honored and seek an extension.

Motion was made by Mayor Pacheco, seconded by Council Member Romero to approve the first amendment to the exclusive listing agreement for commercial real property with Faris Lee Investments, Inc. Motion passed unanimously.

APPOINTMENT BY MAYOR PACHECO TO THE CALEXICO PLANNING COMMISSION.

Mayor Pacheco appointed Henry Zamarripa to the Planning Commission.

APPOINTMENT BY MAYOR PRO TEM HODGE TO THE POLICE ADVISORY COMMISSION.

Mayor Pro Tem Hodge appointed Jesus Iñiguez to the Police Advisory Commission.

APPOINTMENT BY COUNCIL MEMBER REISIN TO THE BUSINESS IMPROVEMENT DISTRICT.

Council Member Reisin appointed Linda Lara to the Business Improvement District.

FUTURE AGENDA ITEMS

- Hodge:
1. Discussion/Action on building a green wall at Nosotros Park.
 2. City Council retreat for the near future on a five-year plan for the Council with goals and objectives.

ADJOURNMENT

There being no further business, meeting was adjourned at 8:35 p.m.

ATTEST:

Gabriela T. Garcia, City Clerk