AGENDA
ITEM

6

# AGENDA STAFF REPORT

**DATE:** June 19, 2019

**TO:** Mayor and City Council

**APPROVED BY:** David B. Dale, City Manager DD

**PREPARED BY:** Gabriela T. Garcia, Deputy City Clerk

**SUBJECT:** Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of December 13, 2017 and June 5, 2019

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**Recommendation:**

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of December 13, 2017 and June 5, 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 December 13, 2017 and June 5, 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 December 13, 2017 and June 5, 2019.

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**AGENDA ITEM**

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**THE CITY COUNCIL/HEFFERNAN MEMORIAL HEALTHCARE DISTRICT MET IN A JOINT SPECIAL SESSION ON THE 13th DAY OF DECEMBER, 2017 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.**

## CALL TO ORDER

Mayor Hurtado called the meeting to order at 5:34 p.m.

## ROLL CALL

**PRESENT**

**CITY COUNCIL**

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

**HEFFERNAN MEMORIAL DISTRICT BOARD**

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| Chairperson: | Sylvia Bernal |
| Board Member: | Norma Apodaca |
| Board Member: | Antonio Martinez |
| Board Member: | Rudy Valdez |
| Board Member: | Gloria Romo |

**ABSENT**

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| Council Member: | Jesus Eduardo Escobar |

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF THE AGENDA

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

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

**DISCUSSION AND POTENTIAL ACTION ITEMS**

**DISCUSSION OF POTENTIAL AGREEMENT BETWEEN THE HEFFERNAN MEMORIAL HEALTHCARE DISTRICT AND THE CITY OF CALEXICO FOR FUNDING OF PRE-HOSPITAL CARE.**

City Manager Villa mentioned that there has been conversations between members of the City Council and the Heffernan Board with regards to the ambulance transportation program. He stated that the city has had a financial gap, in that area of about $500,000 to $1,000,000. He explained the city is not able to recuperate the money that is spent when providing services. He further stated that in the last year the city had the same problem with talks of layoffs to the Fire Department, however, this did not happen due to the agreement with Heffernan Group. City Manager Villa further explained how the city is once again in the same position.

Chief Favila provided a presentation per request of the Heffernan Memorial Healthcare District for services provided for 2016 and going back five years. Chief provided a slide show showing statistics of the services provided and the staffing levels within the department. Chief Favila responded to question on the statistics provided for the Fire Department and Ambulance Program and explained the Emergency Medical Services Expenses.

City Manager Villa explained that the city of Calexico receives more calls due to the fact that it is a border town. He further stated that because the city does not have a hospital, this is the reason why the taxes are so high.

Norma Aguilar spoke on behalf of the Fire Department and stated the department needs to stay because the city does not have a hospital. She further commented on Measure H and explained how it was a service that the citizens decided to pay in order to receive emergency services.

Alex Perrone spoke on behalf of the Fire Department and thanked them for the services provided to his family. He advised the city to not only look into private collaborations because it will not lead to much revenue for the city of Calexico.

Norma Aguilar asked why it stated that it was a historical over turn that the money would move to general fund. City Manager Villa responded that it is not important to the discussion that is being held at the moment.

Mayor Hurtado explained that Measure H had already been committed a while back, and the money that is being received by it is being used to pay those commitments.

Norma Aguilar asked why the city has not reached out to the gold cross instead of out sourcing their general funds. City Manager Villa explained that the city did look into privatizing with the gold cross, however they wanted to explore partnerships first.

HMHD Board Member Martinez asked what happens after the three years are up and will the city then decide to privatize or contact Heffernan again or another company. City Manager Villa responded that what the city is expecting to be able to grow their revenues within the next three years and are also looking into how to maximize the city's collection.

Mayor Pro Tem Pacheco stated that a problem with Gold Cross is that the city is unaware of the service that they will provide and where they are going to be stationed. He explained that maybe they will send the ambulance from Heber which in turn causes the response time to be longer.

Council Member Real stated the city can tell Gold Cross or any other ambulance service what their response time should be.

HMHD Board Member Bernal asked how long it is that your brain can go without oxygen. Chief Favila responded that it was hard to answer that this varies between each person however.

HMHD Board Member Apodaca stated that she is in favor of helping the city because we don't have a hospital. She stated the need for a plan and strategy.

HMHD Board Member Valdez agreed and stated he is in favor of helping the City and further stated the need for an arrangement and initiate a conversation and make a plan that will benefit both parties.

HMHD Board Member Martinez disagreed that Heffernan had an obligation to help the city just because it did it before. He mentioned that there is a difference between helping out to pay for salaries and helping out with the cost of the operation.

HMHD Board Member Bernal disagreed with Board Member Martinez and stated it is Heffernan's fault that the city lost the hospital and now the Fire Department is left with all the burden of providing services and has become a hospital on wheels. Board Member Bernal spoke of a collaboration between Heffernan and the City to provide services and asked if any grants have

been written. Chief Favila responded the department had received two turn down letters and received one grant help purchase equipment.

City Manager Villa stated that the conversation that is being held is not to subsidize the Fire Department it is for a program that the city also invests in and that is the ambulance emergency care, pre-hospital care and transport service which is not provided by another city in the Valley. City Manager Villa explained the city has a unique set of circumstances due to the border which causes a lot of transport services and costs to the city.

HMHD Board Member Martinez questioned why the city does not reach out to Gold Cross if providing the service is such a burden. Mayor Pacheco stated the City did not want to lose any employees and is committed to working together.

Council Member Hodge spoke in favor of collaborating on the issue and it is important to plan and strategize for the future.

Council Member Real spoke about the costs and special circumstances which burden the city such as the fire and police departments plus Mexicali and the border.

Board Member Bernal stated she had suggested loaning the money to the city of Calexico. She once again stated that Heffernan needs to be held responsible for helping the ambulance services.

Mayor Hurtado commented on the many calls burdening the department with such little staff. She further commented on issues and the demand on the city with a high price and the city cannot afford it.

Javier Gonzalez asked for the community to be taken into account and asked the council to go out into the community.

Chairperson Bernal agreed with Mr. Gonzalez that the community should be taken into account. However, stated that at the meeting there is not many community members. She asked how the council felt with regards to a loan and the concept of paying the Heffernan.

Council Member Real mentioned he believed the city should live within their means. He commented that he does not believe the city has the money to repay Heffernan. Council Member Hodge stated Council Member Real made some important points. He commented that he does not see anything wrong with discussing and coming up with solutions to see what works.

Mayor Pro Tem Pacheco stated that if they do not receive the help from Heffernan the end result will be letting go of personnel and looking into having someone else come in make that service for us. However, the city won't know how many ambulances, what they are going to offer and the response time. Commented that the city will be at their mercy.

Mayor Hurtado expressed her support in working with Heffernan and stated the Council needs to stay positive.

Board Member Martinez stated he did not believe that Heffernan is responsible for the absence of a hospital in the city of Calexico. He commented how the hospital was not making any money and that is the reason why it closed. He mentioned that although they do not know what Gold Cross would be offering the city of Calexico would be informed before making a decision and suggested not leaving Gold Cross out of the picture. He also stated his willingness to work with the City but not just to grant a large amount of money.

Board Member Valdez asked what the council is doing to better the city. Council Member Real responded by mentioning the work that is being done with the unions to lower salaries and benefits. He further stated that things are not looking great for the city of Calexico.

Board Member Romo stated they need a plan or two for the next meeting and mentioned the importance of asking the public for their opinion. She commented one possibility is for the Heffernan District to administer the Fire Department.

Chairperson Bernal stated that the Heffernan group is a non-profit organization here to provide services to the community. She addressed the ambulance program and stated that if in the future the City is unable to continue and if they are in a position to do it, they could be given the opportunity to take over the ambulance program.

Mayor Hurtado stated it is good that they are having the conversation and mentioned the importance of sharing the facts.

Chief Favila thanked those present and stated he is hopeful that the council leaves tonight with some sort of direction.

Chairperson Bernal asked the Chief Favila for the costs and increases to the fees and revenues to be presented to Heffernan. Council Member Real suggested a sub-committee. Chairperson Bernal stated the sub-committee has been meeting on the matters with Mr. Villa. She stated that LAFCO was aware of the situation and LAFCO is okay with lending money to the city of Calexico.

Board Member Romo asked why the city is finding it so hard to give the ambulance program to the Heffernan Board. Stated that the city does not need to be worrying for an extra cost of 2 million dollars.

If the City is willing to give up the ambulances to the County, why so much thought in giving them the ambulances to Heffernan. She asked everyone to think and return their trust and consider Heffernan for the service in order to service the city.

City Manager Villa responded that the city is looking into every possible outcome and solution.

Alex Perrone addressed the dais and stated that at the moment the city has the perfect team to handle the program.

**ADJOURNMENT**

There being no further business, motioned was made by Mayor Pro Tem Pacheco, seconded by Council Member Hodge and passed unanimously to adjourn the meeting at 7:16 p.m.

**CITY OF CALEXICO**

Maritza Hurtado, Mayor

**HEFFERNAN MEMORIAL HEALTHCARE DISTRICT**

Sylvia Bernal, Chairperson

**ATTEST:**

Erica Lacuesta, Deputy City Clerk

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**THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 5TH DAY OF JUNE 2019 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 agenda at 5:35 p.m.

**ROLL CALL**

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

**PUBLIC COMMENTS** – No public comments.

**ADJOURN TO CLOSED SESSION**

Council convened in closed session at 5:36 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 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

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
City of Calexico v. Jose M. Rodriguez, et al.
Superior Court of California, County of Imperial, Case No. ECU08939

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case

Council reconvened from closed session at 6:30 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 5:37 p.m.

### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

City Attorney Campos 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 Andrew McBride from the Church of Jesus Christ of Latter Day Saints.

### CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos reported on Item No. 1, Litigation with Santo Tomas – He reported for the record that on a 5-0 vote of the Council, the City Council did approve a settlement agreement with Santo Tomas, Inc. and Juan Carlos Gonzalez upon execution by both parties, this will allow for the temporary opening of part of Santo Tomas.

### APPROVAL OF THE AGENDA

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

### PRESENTATIONS

**BADGE PRESENTATION BY CHIEF GERARDO TO MS. MAYRA SOTO, PARKING ENFORCEMENT OFFICER.** Item was tabled to the next Council Meeting.

**PRESENTED BY ICTC STAFF AND CONSULTANT ON THE CALEXICO WEST PORT OF ENTRY: TRAFFIC CIRCULATION PLAN.**

Chief Gerardo commented that the traffic circulation plan has been a joint effort between the Calexico the Police Department, KOA Engineers, Imperial County Transportation Commission (ICTC) and Caltrans. Chief spoke on behalf of the project and which will alleviate costs to the city.

Virginia Mendoza, ICTC, presented the Calexico West Port of Entry (POE): Traffic Circulation Plan. She explained the plan has analyzed the traffic issues related to opening the new Port of Entry in Calexico and traffic operational support to ensure efficient traffic operations related to the expansion of the West Calexico POE. The Project Team was comprised of the City of Calexico, ICTC, Caltrans, Southern California Association of Governments, US Government Services Administration, US Customs & Border Protection and KOA Corporation. Mr. Clyde, KOA Corporation presented the project goals and project phases and scenarios for traffic circulation. Ms. Mendoza answered questions presented by the public regarding traffic congestion on Highway 98.

**PUBLIC COMMENTS AND PUBLIC APPEARANCES**

Ben Horton addressed the Council regarding city pride and spoke about D-Day on June 6th and addressed the conditions of the Veterans Monument. He also spoke about mattresses being dropped off at crossroad center and the costs to clean up and requested assistance from the City. He presented a total economic development model for the community.

Gloria Guzman spoke with regards to feral cats in the city and her efforts to feed and control the cat population. She pointed out the various issues in the city with regards to the cat population. She also spoke on the homeless population in the city.

Pedro Ortiz commented the council is not taking the merchants into consideration and addressed the conditions under which they are currently working. He invited the Council Members to go and speak with the merchants to listen to their problems. He also addressed the issue of sale of marijuana within the city.

Oreda Chin, Imperial Valley Cancer Support Center, invited the council and public to an open house on June 12, 2019 from 5:00 to 8:00 pm at 601 Heber Avenue, Calexico.

Alberto Alvizu addressed the Council regarding permits and licenses for the merchants and wanted to bring to their attention that as swap meet merchants they are in one or two locations. He commented a special permit is requested for each location. He requested that Calexico change to have one license for any location within the city.

Joong Kim stated he felt the felt the city staff has the ability to conduct its own traffic circulation plan. He stated he was happy for the Santo Tomas merchants. He asked the City to work in the best interest of the city.

Brenda Martinez, Las Palmas Swap Meet Owner, commented the vendors from Santo Tomas swap meet are welcome as Las Palmas. She commented on the conditions at Las Palmas which will be evolving soon and all vendors will be welcome.

John Renison spoke on behalf of the Santo Tomas vendors and their current economic situation. He commended the City on vote for mediation.

Chief Gerardo commented on the Memorial Day services and advised he served as a keynote speaker this year. He also addressed various issues affecting the department with regards to traffic and traffic control.

Gabriela Uribe reported that she was told by Las Palmas that they would no longer be renting to her at their location. She requested assistance from the Council on transferring her license back to Santo Tomas.

Arturo Medina stated his interest on whether the council wants to bring the water rate increase back for discussion. He also addressed road improvements at Jasper and Bowker Roads because of deterioration.

Tony Pimentel spoke on behalf of the Heffernan Memorial Healthcare District and invited everyone to the Elder Abuse Conference on June 13, 2019 at the Cultural Arts Center from 9 am to 1 pm.

## CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Romero congratulated Mexicali on their elections and wished the new Mayor of Mexicali and Government of Baja California luck in their endeavors. He congratulated HMHD on local fitness. He spoke regarding the mediation with Santo Tomas and stated they came to an agreement and to make it official, there is a need for both parties to sign off.

Mayor Pro Tem Hodge thanked the Santo Tomas vendors for reminding the council how important it is to get out into the community. He spoke about the city's current budget status and commented on the Bi-National Mayor's Summit. He requested the City could reach out to the new Mayor of Mexicali.

Mayor Pacheco requested the City meet with local stakeholders regarding the homeless in Calexico to come up with open roundtable discussion with local agencies. He also reported on street signs not being legible.

## CITY MANAGER'S REPORT

City Manager Dale reported Cesar Chavez Blvd., is open with full lanes since this morning and a ribbon cutting ceremony will be held on June 25, 2019 at 9:00 am.

## CONSENT AGENDA

Joong Kim Item No. 9 – Mr. Kim spoke against giving county control of underwater storage tanks. He felt the city was giving away its resources.

Joong Kim Item No. 10 – Mr. Kim spoke in support of the program to let the young people get the job experience.

Joong Kim Item No. 11 - Mr. Kim spoke against the continuing disclosure undertaking policy and on not enforcing of the policies.

Joong Kim Item No. 12 – Mr. Kim spoke on the city's lack of creating interest. He provided his ideas on creating more revenues for the city's benefit.

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 24, 2018, February 7, 2018 and May 15, 2019; Warrants from April 27, 2019 to May 10, 2019 and City Salaries from April 27, 2019 to May 10, 2019; Resolution of the City Council of the City of Calexico Authorizing the County of Imperial to Administer and Enforce its Underground Storage Tank and Water Well Regulations within the Calexico City Limits; Consideration of Contract for IVC Work Study Program for FY 2019-2010; Approval of a Resolution Authorizing Adoption of a Continuing Disclosure Undertaking Policy and Authorizing Certain Actions Related Thereto; Resolution of the City Council of the City of Calexico Approving the City's Investment Policy Including Certain Revisions Thereto.

**DISCUSSION AND POTENTIAL ACTION ITEMS**

**PRE-QUALIFIED APPLICANTS FOR THE 2019 SALE OF SAFE AND SANE FIREWORKS.**

Chief Favila advised the city received two applications and requested the two applicants be allowed to sell Safe and Sane fireworks in the city one week before July 4th.

Motion was made by Council Member Romero/seconded by Mayor Pro Tem Hodge and passed unanimously to approve the Pre-Qualified Applicants for the 2019 Sale of Safe and Sane Fireworks.

**APPROVE DEBT MANAGEMENT POLICY.**

Karla Lobatos, Finance Director advised the council this is an annual requirement from the State before the city issues any additional debt.

Joong Kim spoke on the city issuing additional debt and advised that the bonds are not a CDF and asked if the city is not reporting on bonds. He questioned if there is something wrong and these bonds are not being reported.

Motion by Mayor Pro Tem Hodge, seconded by Council Member Reisin and passed unanimously to approve the Debt Management Policy.

**AUTHORIZE THE CITY MANAGER TO SIGN SUPPLEMENTAL AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL-AID PROJECT NO. HPLUL-5168(017).**

Liliana Falomir, Public Works Manager explained that as part of the Cesar Chavez Blvd. Project additional work improvements are needed by Union Pacific Railroad Company at Grant and Fifth Street and they have agreed to pay for 50%. The request is for authorization for the City Manager to sign a supplemental agreement with a shared cost of $188,000. The funding for the project will be 70% from a federal grant and 30% from Measure D. The total project cost is $376,000.

Motion was made by Council Member Romero, seconded by Council Member Arreola-Fernandez and passed unanimously to authorize the City Manager to Sign Supplemental Agreement with Union Pacific Railroad Company for Cesar Chavez Blvd. Improvements Federal-Aid Project No. HPLUL-5168(017).

**AWARD THE BID PROPOSAL FROM AGGREGATE PRODUCTS INC. IN THE AMOUNT OF $5,136,634.26 AND AUTHORIZE CITY MANAGER TO SIGN CONSTRUCTION AGREEMENT FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS PROJECT NO. 2019-400.**

Joong Kim commented on Aggregate Products receiving all the contracts from the City and stated they are doing a bad job.

Liliana Falomir requested the item be continued to the next meeting due to a letter of protest received.

City Attorney Campos advised the City has received a bid protest from Granite Construction identifying two items. City Attorney finalized the review of the bid protest before the council meeting and verified that they had no merit and recommend proceeding with the award.

Motion was made by Mayor Pro Tem Hodge, seconded by Council Member Arreola-Fernandez and passed unanimously to Award the Bid Proposal from Aggregate Products Inc. in the amount of $5,136,634.26 and Authorize City Manager to Sign Construction Agreement for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets Project No. 2019-400.

**AWARD BID PROPOSAL FROM FLO-SYSTEMS, INC. IN THE AMOUNT OF $39,598.94 FOR THE PURCHASE OF ONE (1) GRIT CHAMBER PUMP FOR THE WASTEWATER TREATMENT PLANT.**

Liliana Falomir, Public Works Manager explained the needs for repair at the water and wastewater treatment plants and stated funding for this project comes from water and wastewater enterprise funds. She further advised two bids were received and the lowest bidder meets all the requirements. She requested the bid be awarded to Flo-Systems, Inc.

Motion was made by Council Member Romero, seconded by Mayor Pro Tem Hodge and passed unanimously to Award the Bid Proposal from Flo-Systems, Inc. in the Amount of $39,598.94 for the Purchase of One (1) Grit Chamber Pump for the Wastewater Treatment Plant.

**APPOINTMENT BY COUNCIL MEMBER ROMERO TO THE PERSONNEL COMMISSION.**

Council Member Romero appointed Mr. Zack Sanchez.

**FUTURE AGENDA ITEMS**

Council Member Romero requested the following future agenda items:

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1. Presentation from code enforcement office/Plan of Action Presentation.
2. Zoning for RV Parks to bring them current.

Mayor Pro Tem Hodge requested the following future agenda item:

1. Item on the creation of Census sub-committee to augment the county sub-committee.

**ADJOURNMENT**

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

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Lewis Pacheco, Mayor

**ATTEST**

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Gabriela T. Garcia, City Clerk