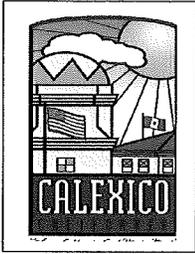


**AGENDA
ITEM**

03



AGENDA STAFF REPORT

DATE: September 5, 2018
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *DBD*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *GTG*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of May 5, 2015, July 5, 2017, June 19, 2018 and June 20, 2018

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of May 5, 2015, July 5, 2017, June 19, 2018 and June 20, 2018.

Background:

In accordance with Municipal Code Section 2.04.070, the City Clerk shall prepare minutes of the proceedings of each City Council Meeting.

Discussion & Analysis:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of May 5, 2015, July 5, 2017, June 19, 2018 and June 20, 2018 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 May 5, 2015, July 5, 2017, June 19, 2018 and June 20, 2018.



THE CITY COUNCIL/RDA SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 5th DAY OF MAY, 2015 AT 6:30 P.M. AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION-5:30 P.M

The Closed Session portion of the meeting was called to order at 5:30 p.m. by Mayor Moreno.

ATTENDANCE.

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

The City Council convened into Closed Session at 5:30 p.m. to discuss the following:

1. Conference with Labor Negotiators
Agency Representatives: Interim City Manager
Unrepresented Employees: Interim City Manager
(Govt. Code section 54957.6)
2. Conference with Labor Negotiators
Agency Representatives: Interim City Manager
Unrepresented Employees: Interim Chief of Police
(Govt. Code section 54957.6)

Council reconvened from closed session at 6:45 p.m.

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

REGULAR SESSION 6:30 P.M.

The regular session portion of the agenda was called to order at 6:46 p.m. by Mayor Moreno and those present were led in the Pledge of Allegiance.

ATTENDANCE.

(All Council Members were present: Moreno, Kim, Castro, Real, Hurtado)

INVOCATION

Invocation was given by Reverend Miguel Campos, Our Lady of Guadalupe Catholic Church.

CLOSED SESSION ANNOUNCEMENTS

Dee Chapa, Lisa Michelle de Guzman, and Sarah Ruvalcaba requested to have their position against approval of the City Managers contract read for the record but refused to make comments. Council met in closed session and voted 3-2 to continue negotiations between City Council and Mr. Warne, while opening the hiring process for the position of City Manager. Mr. Warne has been asked to stay on until the hiring process is completed. Negotiations between the City Council and Mr. Warne are still ongoing. Voting was as follows:

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

Closed Session item number two was tabled.

APPROVAL OF AGENDA.

Mayor Moreno requested an item be added a presentation to include a presentation as item 4A Key to the City Recognition to Mr. Rudolph, "Rudy" Villalobos. A motion was made by Council Member Real, seconded by Council Member Kim for discussion to approve agenda as amended.

Mr. Kim commented on his request for an item on the dismissal of the City Manager which was not placed on the agenda. Mayor Moreno replied he requested the item be pulled due to concerns over letter received from JPIA regarding stability of the organization.

Council Member Kim questioned the City Attorney regarding the legality of the issue. City Attorney suggested writing an attorney client privilege memorandum on the matter. Motion passed by the following vote to wit:

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

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS**PRESENTATION OF THE KEY TO THE CITY TO MR. RUDOLPH "RUDY" VILLALOBOS.**

Mayor Moreno presented Mr. Rudolph "Rudy" Villalobos, WWII veteran, with the Key to the City in appreciation and recognition of exemplary service to our country. For his bravery in the face of immediate danger has greatly contributed to securing freedom of many generations. As one of Calexico's most honored and trusted sons, he was presented with the key to the city.

PROCLAMATION OF HEFFERNAN MEMORIAL HEALTHCARE DISTRICT – HEALTH AND WELLNESS MONTH – MAY 2015.

Councilmembers took turns reading the proclamation of Heffernan Memorial Healthcare District – Health and Wellness Month – May, 2015. Mayor Moreno presented the proclamation to the Heffernan Memorial Healthcare Board Members.

PROCLAMATION OF MARIACHI FESTIVAL SIN FRONTERAS “VIVA CALEXICO” WEEK – MAY 11 TO MAY 16, 2015.

Councilmembers took turns reading the proclamation of Mariachi Festival Sin Fronteras “Viva Calexico” Week – May 11 to May 16, 2015. Mayor Moreno presented the proclamation to Chamber Executive Director Hildy Carrillo.

ANNOUNCEMENTS/PUBLIC COMMENTS.

Alicia Burton, resident of Calexico, expressed her dissatisfaction over the service she received related to her water account. She was denied an extension, her water was disconnected due to non-payment minimum amount due, and she was without water service for three days until she was able to pay and the city was able to reconnect the water. She stated that she felt humiliated by her treatment. County Supervisor John Renison suggested that in the future, people in dire need of assistance with their water bills might be able to receive assistance from the County Social Services Department.

Jason Jung stated that he would pay Ms. Burtons water bill and bring her balance current. He also stated that he had requested this item be placed on the Council Agenda, but it was not. He filed a criminal complaint against Mr. Quinn, Mr. Servin, Ms. Reyes, and the City Manager. When he tried to file a police report, the officer refused to cooperate. He stated there is no respect for the public by City employees. City Manager Warne offered to explain to Council members individually how Mr. Jung’s water bill issue was already resolved.

Maribel Padilla, resident of Calexico, reminded the Council that they voted to remove the future agenda items line from the agendas. Requests for agenda items need to go through the City Manager or the Mayor.

Dr. Asiad, resident of Calexico, reminded the audience that they need to address the Council with respect. He stated the City needs more Police Officers and better communication between Police and the community.

Calexico resident, Carmen Estrada, stated she has been working with the City, IID, and the Electrical Workers Union to coordinate having lighting installed in the retention basin/park on the corner of Fifth street and Andrade Avenue and will also be planting sixty trees.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Councilwoman Hurtado attended the bank closure meetings last week. Union Bank, Wells Fargo, and Sun Community discussed bank closures. She stated there are many more federal regulations and paperwork due to proximity of the border. She stated Rabobank supports agriculture, so it doesn't make sense for them to close, however, they are closing and is looking to find an ATM location to allow deposit capabilities in the downtown area. She informed the Economic Development has been very busy and the city has an excellent team working along with Mexicali and Imperial Valley. ICTC is working on many projects right now, such as the Highway 98 expansion and Cesar Chavez expansion.

Council Member Real stated he also attended the bank meeting and is cautiously optimistic. Sun Community will step up and provide additional services to help, but not in the downtown area. He also indicated that there have been complaints about city customer service.

Mayor Pro Tem Kim stated that the group of people present only represent a small group of Calexico and their views do not represent all of Calexico. He received several phone calls from Calexico residents who do not want to have the contract approved.

Mayor Moreno expressed his disappointment and frustration with the behavior of the Council and how it impedes moving forward with business. He asked that everyone respect each other and simply agree to disagree. He asked that they remove personal issues and let staff do their jobs.

CONSENT CALENDAR

Council Member Real pulled Item No. 11 for discussion. Mayor Pro Tem Kim pulled Items 7, 8 and 10 for discussion. Council Member Hurtado pulled Item No. 5 for discussion.

A motion was made by Council Member Real, seconded by Mayor Moreno, and passed unanimously to approve the Consent Calendar consisting of: Approve revisions to Resolution No. 2014-88 of the City of Calexico Authorizing the City Manager or his/her Designee to execute State Agreement and/or any Documentation Pertaining to Housing Related Parks (HRP) Program Grant; Authorize Public Works Director/City Engineer to File Notice of Completion for the 1.0 MG, 3.0 MG, 4.0 MG and 6.0 MG Water Tank Repair and Upgrade Project.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION**ITEM NO. 5 - CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MINUTES FOR REGULAR MEETINGS OF APRIL 21, 2015, AUGUST 17, 2010, AND JULY 6, 2010**

Councilwoman Hurtado asked for clarification as to why minutes from 2010 are still being presented for approval. Interim City Manager Warne explained that the current City Clerk's Office staff have found several minutes from the past were not completed. They are trying to catch up. The missing minutes are from a time period before they became part of the Clerk's office.

A motion was made by Councilwoman Hurtado, seconded by Council Member Real, and passed unanimously to approve the City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Regular Meetings of April 21, 2015, August 17, 2010, And July 6, 2010 as presented.

ITEM NO. 7 - ADOPTION OF A RESOLUTION OF THE CITY OF CALEXICO RELATED TO THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT.

Chief Mercado explained that this resolution is to be able to have the city reimbursed for every dollar spent by the city outside of the city.

Mr. Kim asked if there was a possibility to be paid back from a federal agency. Chief Mercado responded the city cannot by state regulation determine residency or insurance information upfront before providing service. He explained that whoever makes the call gets the bills. Mr. Kim acknowledged how well trained the fire department staff is.

A motion was made by Mayor Pro Tem Kim, seconded by Mayor Moreno, and passed unanimously to adopt a Resolution of the City of Calexico related to the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident.

ITEM NO. 8 - WARRANTS FROM APRIL 7, 2015 TO APRIL 21, 2015.

Mayor Pro Tem Kim questioned check no. 1171, Rosenthal Corporation. He was informed by City Manager this had to do with Cesar Chavez drive and acquisition of engineering and property appraisal. Mayor Pro Tem Kim questioned check no. 1180, IVEDC for \$10,000. City Manager Warne responded it was the membership to belong to the Imperial Valley Economic Development Corporation. Mayor Pro Tem Kim questioned Hunter Employment Services for \$ 12,024.86. He stated he believes the city should not try to temporary over city employees. He also commented on check no. 1205 for Imperial CUPA for \$6,700. City Manager Warne stated it is the Department of Toxic Substance Control. Nick Fenley advised him it was the annual permitting for the toxins at the airport. He explained that the city has to pay an annual fee because of the fuel and toxins at the airport. Mr. Kim asked about ERM-West, Inc. for \$39,000. Council Member Real requested a small description on the items on the warrants paid. Nick Servin, City Engineer advised ERM-West is the firm conducting the study, analysis and plans for the New River Parkway.

A motion was made by Council Member Real, and seconded by Mayor Moreno to approve the warrants from April 7, 2015 to April 21, 2015. Voting was as follows:

| | |
|----------|-------------------------------|
| AYES: | Moreno, Castro, Real, Hurtado |
| NOES: | Kim |
| ABSTAIN: | None |

ITEM NO. 10 - PURCHASE OF A 2015 CNG STREET SWEEPER FROM MAR-CO EQUIPMENT CO., THROUGH A COOPERATIVE PURCHASE WITH THE CITY OF BRAWLEY.

Mayor Pro Tem Kim asked how many sweepers the city has lined up. Mr. Nick Fenley advised there is one new sweeper and a 2005 unit that needs to be replaced. The unit being purchased will replace the 2005 unit. Mr. Kim asked how many drivers clean the streets. He was informed there is one full time and one part-time. Interim City Manager Richard Warne pointed out that the street sweepers were purchased with grant funds. Mr. Fenley advised the city's match for the grant is 11.47%. Mr. Kim asked if it is the same company the city had as last year. Mr. Fenley responded it was a different company.

Council Member Luis Castor asked if the city of Calexico has a CNG pump. Mr. Fenley responded saying they are using the public site at the Calexico School District. He further stated the City will be applying for a grant from the Air Pollution Fueling District to create a pump for the sweepers at the yard. Interim City Manager Warne informed the council staff has met with the Air Pollution Fueling District and it looks positive that the city will receive the funding.

A motion was made by Mayor Pro Tem Kim, seconded by Mayor Moreno, and passed unanimously to approve the purchase of a 2015 CNG Street Sweeper from Mar-Co Equipment Co., through a cooperative purchase with the City of Brawley.

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

ITEM NO. 11 - PURCHASE OF BODY CAMERAS AND TASERS FOR THE CALEXICO POLICE DEPARTMENT.

Council Member Real stated that some officers were concerned and had a few questions about the body cameras and inquired if the cameras always had to be turned on. Lt. Gonzalo Gerardo responded that the officers could turn them on and off. Council Member Real mentioned that one officer that he knows bought a camera and has it on all day, asked if there was a reason why they are going to be turn on and off. Lt. Gerardo responded that when recording 24 hours you use more space and it would be recording everything you do.

Council Member Real commented how some officers believed that if a call was going to go wrong they could just turn off the camera. He asked if the officer will have the accountability to turn on the camera when they respond to the call or will they have the option to turn it off with certain calls. Lt. Gerardo responded that for that reason they will have sample policy included. He further stated that the officers liked the Taser quality cameras better and they are tamper proof, they can view the videos however, they do not have the ability to erase anything. Council Member Real asked if Lt. Gerardo was aware of any other county that used the same cameras and the cameras could withstand 120 degree weather. Lt. Gerardo responded that Taser International has agencies

in Arizona and they are using the same system. He commented on the cost, however, the first lawsuit that they can avoid with the cameras will save the city a lot of money.

A motion was made by Council Member Real, seconded by Mayor Pro Tem Kim, and passed unanimously to approve the purchase of body cameras and Tasers for the Calexico Police Department.

AYES: Moreno, Castro, Real, Hurtado, Kim

NOES: None

ABSTAIN: None

DISCUSSION AND POTENTIAL ACTION ITEMS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO URGING A MORATORIUM ON ADDITIONAL BANK CLOSURES AND CALLING UPON U.S. CONGRESSMAN JUAN VARGAS, OTHER ELECTED OFFICIALS AND OBAMA ADMINISTRATION OFFICIALS IN THE DEPARTMENT OF JUSTICE, DEPARTMENT OF TREASURY AND OTHER FEDERAL AGENCIES TO END BANK CLOSURES IN CALEXICO AND ALONG THE INTERNATIONAL BORDER.

Mayor Moreno commented the meeting regarding the closure of banks along the US/Mexico border and stated this is an issue for many border cities. Mr. John Romo concurred with Mayor Moreno and urged the council to do its best in order to keep the banks in Calexico.

Mr. Daniel Romero stated that the city will benefit from passing this resolution. He stated that Wells Fargo has intentions of expanding and Union Bank is solid. He congratulated the city of Calexico for putting up the resolution for council approval.

Mr. Horton informed the council that he had a meeting with the director of the Chase bank and stated that there are two laws that affect the banks, the state law and the federal law.

Mayor Pro Tem Kim stated his support for the resolution and commented on issues relating to the bank closures.

A motion was made by Council Member Real, seconded by Council Member Hurtado and passed unanimously to approve a resolution urging a moratorium on additional bank closures and calling upon U.S. Congressman Juan Vargas, other elected officials and Obama Administration officials in the Department of Justice, Department of Treasury and other federal agencies to end bank closures in Calexico and along the International Border. .

(1)COUNCILMEMBER ARMANDO REAL'S REQUEST THAT CITY COUNCIL CONSIDER POTENTIAL CALEXICO CODE OF ETHICS VIOLATIONS BY COUNCIL MEMBER MARITZA HURTADO AND (2) CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO REPRIMAANDING AND CENSURING COUNCIL MEMBER HURTADO.

Maribel Padilla stated that she was at the event and stated the reprimand should be for both council members Hurtado and Real due to the scene created.

Mr. Ben Horton suggested to Council Member Hurtado that it would be best to issue an apology to the city. He stated Council Member Hurtado did apologize to Council Member Real via text.

Council Member Real asked Ben Horton if he raised his voice. Mr. Horton stated Council Member Real did not raised his voice.

Council Member Real mentioned that before this situation he and Maritza had gotten along well. Council Member Real stated that he and Maritza disagreed on a certain item. Council Member Real commented on discussion over items not placed on the agenda and commented on he felt it was not fair that a council member could not add items to the agenda. He stated the conversation then went on to talk about police corruption in the City. He once again stated he did not raise his voice as stated by Maribel Padilla. He stated what hurt was the fact that he was being recorded and individuals are looking to find them in compromising situations. He stated his support for Mr. Warne and Mr. Bostic however, Calexico is not a rich city and want to keep them for the right price. Council Member made a motion to table the item for another meeting.

Council Member Hurtado stated that she did apologize to Council Member Real however, Council Member Real has not responded. Maritza stated that the letter that Council Member Real handed to her gave her the option to pick between war and peace and stated she did not believe it was war. She commented on the various issues with the city and stated the city of Calexico is still open for business thanks to City Manager Warne.

City Attorney requested clarification on the resolution. Motion by Council Member Hurtado to approve the resolution reprimanding herself. Motion was seconded by Mayor Moreno.

City Attorney stated there is no specificity in the resolution and recommended a general allegation whereas and vote on the proper remedy, censure, remove from commissions and keeping in mind that we have gone through this before an there is a remedy to be considered and need to fill in the whereas in the resolutions.

Council Member Real motioned to get rid of the item.

DISCUSSION AND POTENTIAL CITY COUNCIL GUIDANCE REGARDING TEMPORARY PROMOTIONAL SIGNS AND BANNERS WITHIN THE CITY OF CALEXICO.

Ben Horton mentioned the history to why this city ordinance exists and advised the council to look at the history.

Mr. Hermosillo stated that there is nothing wrong with the ordinance and commented that the city has bigger problems than banners. He mentioned that not many inforce the ordinance.

Council Member Real stated that he agreed that banners on every corner did not look appealing to the city. However, he does think business owners should be allowed to put up banners and flags. Commented that the council has to be in the helping businesses mood.

Nick Servin stated that if council goal is to keep the city clean then council should stand by staff. Council Member Real commented on the cost for the banners. Mayor Moreno stated that the city has gone a crazy with banners and they are not appealing. He stated a permanent sign would be the solution. He asked if the sign code addressed a difference between flags and banners. Ralph Morales responded that the ordinance does address the difference between banners and flags. Council Member Real commented on taking this item to the Planning Commission.

Council Member Hurtado recalled that shortly before the earthquake in 2010 the city began to enforce the ordinance however, after the earthquake hit the city started to push the ordinance to the side due to the conditions downtown. She mentioned that at the retreat the council agreed to have a cleaner city and the item should go to Planning Commission and not give staff mixed messages.

Council Member Real stated he does not believe the flags are a problem. He commented a business owner explained to him that since he took his flags down, business for him has been lower.

Mayor Pro Tem Kim agreed with Council Member Real and stated the flags are meant to catch the attention of the customer. He stated he would like to see flags in city businesses as long as they are in good conditions and not charge them since they pay a business license.

Mr. Alex Perrone stated that the city should not be hurting the business owners and council should encourage the business owners.

The City Council directed staff to take the topic back to the Planning Commission for revision of the guidelines, in order to allow flags if they are in good condition.

CONSIDER A REQUEST FOR A FORENSIC AUDIT OF THE CITY OF CALEXICO AND PROVIDE DIRECTION TO STAFF IF NECESSARY

Ben Horton stated a forensic audit is costly and it has a serious ring to it. H asked if the audit is being requested due to questionable items.

Council Member Real made a motion for approval on a forensic audit. Motion was seconded by Mayor Pro Tem Kim.

City Manager Warne requested for clarification on the audit. Council Member stated he would like to open up the bidding process for a forensic audit and bring back to council with the cost. City Manager Warne stated the need to understand what the audit would be looking for beyond the audits that are already being conducted.

A motion was made by Council Member Real, seconded by Mayor Pro Tem Kim for discussion.

Mayor Pro Tem Kim stated he believed there should be highly independent auditors so they can find out what is going on and have the City Attorney conduct the search for the auditor. City Attorney stated the need for direction and ability to come back with a scope of services, a price and go out for an RFP. Motion passed by the following vote to wit:

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

APPOINTMENT BY COUNCIL MEMBER HURTADO TO THE HISTORICAL COMMISSION

No appointment made.

APPOINTMENTS TO THE CALEXICO SENIOR CITIZENS COMMISSION: A) COUNCILMAN CASTRO: (B) CITY COUNCIL BY MAJORITY VOTE (2) SENIOR CITIZENS COMMISSION (Residents Living in Senior Citizen Complexes in the City)

Council Member Castro appointed Olivia Valenzuela to the senior citizens commission.

CALEXICO REDEVELOPMENT SUCCESSOR AGENCY

CONSENT CALENDAR

A motion was made by Council Member Hurtado, seconded by Council Member Real, and passed unanimously to approve the Consent Calendar consisting of: Resolution of the Successor Agency of the Calexico Community Redevelopment Agency Approving the Amended Long-Range Property Management Plan Pursuant to California Health and Safety Code Section 34191.5 and Approving Certain Related Actions.

City Manager Warne stated that in order to sell the property for the new port of entry they have to change the wording from transfer of the property to the city to sell.

ADJOURNMENT.

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

John M. Moreno, Mayor

Attest:

Erica Lacuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 5TH DAY OF JULY 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.

CLOSED SESSION – 5:30 P.M

CALL TO ORDER

Mayor Armando Real called the Closed Session portion of the meeting to order at 5:45 pm.

ROLL CALL

PRESENT

Mayor: Real
Council Member: Pacheco
Council Member: Escobar

ABSENT

Mayor Pro Tem: Hurtado
Council Member: Hodge

ADJOURN TO CLOSED SESSION

The City Council adjourned to Closed Session at 5:49 p.m. to discuss the following:

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

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

REGULAR SESSION AGENDA: 6:30 PM

CALL TO ORDER

Mayor Real called the meeting to order at 6:30pm.

ROLL CALL

PRESENT

Mayor: Real
Mayor Pro Tem: Hurtado

Council Member: Pacheco

Council Member: Escobar

ABSENT

Council Member: Hodge

PLEDGE OF ALLEGIANCE

Mr. Mario Conde led those present in the Pledge of Allegiance.

INVOCATION

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

CLOSED SESSION ANNOUNCEMENTS

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

APPROVAL OF THE AGENDA

Motion was made by Council Member Escobar, motion seconded by Council Member Pacheco to approve the agenda as presented. Motion was passed by the following vote to wit:

AYES: Hurtado, Escobar, Pacheco, Real

NOES: None

ABSENT: Hodge

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Norma Aguilar stated that she was told she would have a meeting with city manager but to date has not been contacted. She requested action to be taken to help the homeless individuals.

Maribel Padilla commented on the high heat and proposed having the Senior Citizen Hall as a cooling center for the homeless.

Ben Horton invited those present to assist the opening of Cardenas Market to show support to businesses in Calexico.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Escobar asked those present to keep his daughter in their prayers.

Council Member Pacheco reported he met with some senators and let them know of a need for a DMV in Calexico.

Mayor Pro Tem Hurtado commented that some individuals asked for the park equipment to be covered. She concurred with comments made by Norma Aguilar and Maribel Padilla. She invited those present to assist the ribbon cutting of the expansion of her business.

CONSENT AGENDA

Council Member Hurtado pulled Item No. 04 for discussion.

Motion was made by Mayor Real, seconded by Council Member Pacheco to approve the consent calendar consisting of the following: Warrants from June 15, 2017 to June 23, 2017 and City Salaries & Benefits from June 10, 2017 to June 23, 2017; Adopt (3) Resolutions approving the following; a. TDA Article 8 (e) application - bus benches/shelter purposes, claim and resolution for \$16,988.00 b. TDA Article 8 (e) application - bus benches/shelter purposes, claim and resolution for \$25,000.00 c. TDA Article 3 application - bicycle and/or pedestrian funds, claim and resolution for \$34,689.00; Second Reading and Adopt Ordinance No. 1176, by title only, UA2017-02 Zoning Ordinance Text Amendment No. 2017-02 Amending Section 15.32.050, Construction on Owner's Property-fences (City-wide R-1 zones) of the Calexico Municipal Code; Second Reading and Adopt (2) Ordinances Regarding Commercial Cannabis Regulatory Activity: a. Second Reading and Adopt Ordinance No. 1177, by title only, Amending Title 17 (Zoning), Chapter 17.11, Article X of the Calexico Municipal Code Regulating Commercial Cannabis Activity; b. Second Reading and Adopt Ordinance 1178, by title only, Amending Title 5 (Business Licenses and Regulations), Article II, Chapter 5.96 of the Calexico Municipal Code Regulating Commercial Cannabis Activity.

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

ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 4 - SECOND READING AND ADOPT ORDINANCE NO. 1176, BY TITLE ONLY, UA2017-02 ZONING ORDINANCE TEXT AMENDMENT NO. 2017-02 AMENDING SECTION 15.32.050, CONSTRUCTION ON OWNER'S PROPERTY-FENCES (CITY-WIDE R-1 ZONES) OF THE CALEXICO MUNICIPAL CODE.

City Manager Villa explained that now individuals can only build a fence on their own property.

Motion was made by Mayor Pro Tem Hurtado, seconded by Mayor Real to approve Item No. 4. Motion passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION ITEMS

CITY COUNCIL REORGANIZATION

APPOINTMENT OF MAYOR/CHAIRPERSON OF THE CITY OF CALEXICO/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY FOR THE YEAR 2017-2018.

Council Member Pacheco made a motion to appoint Council Member. Hurtado as Mayor. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

APPOINTMENT OF MAYOR PRO TEM/VICE CHAIRPERSON OF THE CITY OF CALEXICO/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY FOR THE YEAR 2017-2018.

Council Member Real made a motion to appoint Council Member Pacheco as Mayor Pro Tem, motion was seconded by Mayor Hurtado and passed by the following vote to wit:

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

CONSIDERATION OF CONTRACT FOR IVC WORK STUDY PROGRAM FOR FY 2017-18.

Motion was made by Mayor Hurtado, seconded by Mayor Pro Tem Pacheco to approve the contract for IVC Work Study Program for FY 2017-18. Motion passed by the following vote to wit:

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

ADJOURNMENT

There being no further business, meeting was adjourned at 7:05 pm.

Maritza Hurtado, Mayor

Attest:

Erica Lacuesta, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 20TH DAY OF JUNE, 2018 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.

CALL TO ORDER

Mayor Hurtado 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

Mayor Pro Tem Pacheco advised that if persons were present for the water and wastewater rate increase, this would be discussed at the 6:30 p.m. meeting.

City Attorney Carlos Campos advised the public that if they were not able to stay for the 6:30 p.m. meeting, they could submit their vote with the forms provided at the rear of the chambers.

Joong Kim expressed his disappointment over the council not having interpreters for the persons who do not speak English and also for the changing of the meeting times. He further stated his concern and disappointment over the expenditure of millions of dollars on attorneys due to a council member and reminded the council these funds are tax payer money and cautioned them to take care of the city funds.

Leticia Aldana Cota commented on the citizens being told the meeting for the water and wastewater rates was at 5:30 p.m. and it was not right to change the rules late.

Miguel Charles addressed the council regarding his concerns on the water and wastewater rates and incoming and outgoing revenues.

Alex Perrone requested Council consideration of his suggestion to table the item due to the public being told the meeting was at 5:30 p.m. because it was not right and felt it was illegal and people left and were not able to speak.

City Attorney Carlos Campos advised that since the item is being voted after the time the meeting was noticed and not before, the Council could move forward with the item.

City Attorney Carlos Campos advised Council could take the vote but would have to formalize it at the 6:30 p.m. meeting since this is where it was agendaized and it would have to be continued to a specific date and time as a continued public hearing.

Council Member Real stated it may be legal but it is not ethical and felt the people should be allowed to speak. Council Member Real motioned to continue the item for another date. Motion was seconded by Council Member Escobar.

Mayor Pro Tem Pacheco asked City Manager Dale if this item could be heard at a special meeting. City Manager Dale stated it could be done and asked the Council to keep in mind that when the error was noted, a person was assigned to take all the written comments and the only thing that matters in this hearing is the written comment.

After Council discussion, Council Member Real rescinded his motion and made new motion to continue the item until June 27, 2018 at 6:30 p.m.

Mayor Pro Tem Pacheco translated the motion and advised the persons present that only the written protests are counted.

Council Member Real asked if there would be enough time to send out notice to the residents in the water bill. City Attorney Carlos Campos advised the City provided Prop 218 notice, and it will be formalized at the regular meeting when council opens the public hearing and it can be continued to the meeting of June 27th and sending out in the water bills is not required by law since the notice has been given.

Council Member Real asked if the notice had to be placed in the newspaper. City Attorney Campos advised that what is legally required is to open the public hearing on this item and continue to a certain date and you could provide additional notice in the paper or water bills however, legally is to continue during the public hearing.

Motion passed by the following vote to wit:

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

Wilfredo Real stated the notice did not say how many people are needed for the item not to pass for water and wastewater rates and requested Council to consider the retired residents who are on a fixed income. Mayor Pro Tem Pacheco advised an honest effort will be made to include this information in the next flyer going out.

City Manager Dale clarified the proposed rates by stating the City is proposing a revenue increase and the entire rate structure is changing and the account is billed for thirty units and each unit is 750 gallons. Now there is an opportunity to save money on the bill by using less water. City Manager Dale stated this is not the Council bringing these rates, it is he who has proposed these rates in order to provide the service the residents deserve. He explained that annually the costs increase from 2% to 3% and if the rates do not get increased at least 2% to 3% per year, the City

will not have enough funds to provide the service needed. He further explained the City's water system is sixty to seventy years old and it needs to be replaced.

Alex Perrone commented the rates will be reduced for some persons who use less water however, it will increase for families who utilize more water.

City Manager Dale stated that even with the proposed rates, the City of Calexico will still be paying 10% to 15% less than the nearest City in the entire County.

Miguel Figueroa, Assistant City Manager stated there will be no vote on the item without the input by the public and asked for the opportunity to allow the residents to speak.

ADJOURN TO CLOSED SESSION

Council convened in closed session at 6:04 p.m. to discuss the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Representatives: David Dale, 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Rudy Alarcon, et al., v. City of Calexico, et al.

USDC Southern District, Case No. 15-CV-1606 MMA (PCL)

3. Gabriel Rodriguez v. City of Calexico

Case No. CA415-020 – Appeal

4. Public Employee Appointment

Title: City Clerk

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 Pro Tem Pacheco called the meeting to order a 6:30 p.m. and announced closed session will be moved to the end of the meeting.

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.

Clerk led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE.

City Manager Dale led those present in reciting the Mission Statement Pledge.

INVOCATION.

Invocation was provided by Reverend Alonso from the United Methodist Church.

APPROVAL OF THE AGENDA.

Council Member Real motioned to amend the agenda and move up items 16 & 17. Motion was seconded by Council Member Escobar and motion passed by the following vote to wit:

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

ITEM NO. 15 - PUBLIC HEARING ON THE PROPOSED EMERGENCY MEDICAL SERVICES (EMS) USER FEE SCHEDULE PER THE EMS RATE STUDY DATED APRIL 2018 AND APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, ADOPTING FEES AND CHARGES FOR EMERGENCY MEDICAL SERVICES, AND MAKING CERTAIN FINDINGS AND TAKING CERTAIN ACTIONS RELATING THERETO.

Mayor Pro Tem Pacheco opened up the Public Hearing at 6:55 p.m.

Mr. Todd Burton, Willdan & Associates advised revisions made since the last presentation at the June 6, 2018 meeting. The revisions were made to the overall budget and are proposing a reduced fee of 7%. He informed that since the last meeting there has been a budget update which reflects the new assumptions being proposed as follows:

- * Fire Inspector position has been removed from salaries and benefits portion.
- * Updated salaries and benefits schedule from payroll.
- * Removed allocations from other fire categories which reflect other revenue streams that would reduce the expenditure items.
- * Added the retiree health cost benefit to the total cost that needs to be recovered from the fire department budget.

He stated the proposal to Council on June 6, 2018 was of a \$5.3 million expenditure budget that needed to be recovered based on the EMS transport fees. He stated the budget has been reduced to \$5 million reason being that the fire inspector has revenue stream that comes in that would actually buy those expenditure fees down reducing what has to be recovered from EMS transport fees. In addition, any sort of medical supplies have been excluded from the budget due to the supply user fee list that is another revenue stream that would buy the expenditure budget down. Also excluded from the study were maintenance to the ambulances which were included in the first calculation and have been tied into the load of mileage fee which the EMS charges and was on another set of fee schedules and is also another stream of revenue that would buy the expenditure costs down. He explained the number of calls, hours needed for each call are the same. The variations are in the budget allocation methodology for each call category for a 7% reduction being proposed tonight.

Council Member Escobar requested clarification on the \$5.399 million and whether it was based on the ambulances currently in service. Mr. Barton stated they are based on the projected three ambulances in service. He further stated there will be two ambulances in service and one on stand-by and all three have to be fully operational.

Council Member Escobar asked City Manager Dale how long it would take to have three ambulances fully serviced and available for the community. City Manager Dale stated it depended on how long it takes to hire six paramedics and the three ambulances are ready. Mr. Barton stated the three ambulances are not in rotation due to the staffing shortage.

Mayor Pro Tem Pacheco stated the need for six paramedics to maintain the three ambulances operational.

Council Member Real asked for the payer mix used for the calculations. Mr. Barton stated all assumptions were made with the additional six paramedics. Council Member Real asked for the payer mix of medical, customer pay or insurance that led to the \$5.7 and felt the amount was unrealistic. Mr. Barton explained there is no set fee for Medical/Medicare as it is based on service and the City is recuperating 50% of every dollar based on the assumed call volume logged for 2017. Council Member Escobar stated that the City is recuperating based on \$5.4 so realistically it is \$2.7. Mr. Barton further stated the calls could double with the additional ambulance and with the additional firefighters and projections are to cover every single call.

Council Member Real commented the rate is changing from \$400 to \$1400. Mr. Barton stated the highest volume of calls is the ALS level one emergency which is going from \$499 to \$1,410 which is what it takes to recover the expenditures for the department.

City Manager Dale stated that if the city does not provide the service the service provided by Gold Cross has a cost of \$1,900.

Mr. Barton presented the proposed fee comparison from the rates proposed on June 6th to the rates being proposed on June 20th and explained a reduction in total expenditure cost which needs to be recovered. He further stated the difference in the cost will be recovered through other streams of revenue for the fire department. He further stated that based on a comparison with neighboring cities and comparable cities, Calexico is still the lowest.

Leo Rodriguez asked why the city was making such a big jump from \$500 to \$1400. He was advised the rate was increasing to \$1,200 and the city had not made a change since 1992. He commented on paying a bill on a transfer within the City of El Centro which cost only \$ 395.00

Mayor Pro Tem Pacheco closed the public hearing at 7:15 p.m.

Council Member Escobar requested consideration on the fact that the City cannot continue to offer the services at \$400.00 and if the city goes with Gold Cross the cost is on average \$1,900. He further stated the rate will increase to \$1,200 and the City cannot continue with the current rate. He explained the City of Calexico is the only city which handles its own ambulance service.

Mayor Pro Tem Pacheco stated this increase is way past due and need to think for the City.

Council Member Hodge concurred the rate is high however, agreed it is past due. He stated that at the special workshop one of the key areas was the sources of revenue and this would be an important source of revenue.

Motion was made by Council Member Hodge and seconded by Council Member Escobar for approval of the Proposed Emergency Medical Services (EMS) user fee schedule per the EMS rate study dated April 2018 and approval of a Resolution of the City Council of the City of Calexico, California, Adopting Fees and Charges for Emergency Medical Services, and making certain findings and taking certain actions relating thereto. Motion passed by the following vote to wit:

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

ITEM NO. 16 - ADOPT A RESOLUTION ADOPTING FEES AND CHARGES FOR WATER AND SEWER AND CONNECTION, AND MAKING CERTAIN FINDINGS AND TAKING CERTAIN ACTIONS RELATING THERETO.

Mayor Pro Tem Pacheco opened up the public hearing at 7:20 p.m.

Mayor Pro Tem Pacheco commented on this item being continued to June 27, 2018. City Attorney Carlos Campos stated that per the actions taken earlier and because of the Proposition 218 notice for today, we can go ahead with the public hearing and continue it to June 27, 2018 at 6:30 p.m. He advised that during the public hearing, the public has the ability to comment one time and comments can be taken tonight or at the next council meeting.

Council Member Real stated that since the people are here tonight, the city should take their comments.

Mayor Pro Tem Pacheco asked what could be done legally. City Attorney Campos stated comments could be taken but a person could only comment one time and if a person comments tonight, said person would not be able to comment next Wednesday at the continued public hearing. Mr. Campos further stated this will extend the time to file any protest votes up until the close of public hearing next Wednesday.

Chris Fisher, Willdan Financial Services provided a presentation for the water/sewer rate study and financial study to develop the new rates. Mr. Fisher provided an the process, the general purpose for the rate study and an overview of the process of rate setting and specifically a summary of the proposed revenue increases for both water and sewer and show a financial plan summary that details the numbers that went into developing the recommendations for the required revenue, outline the proposed rates and go over a comparison of rates with neighboring communities.

Mr. Fisher stated the overall purpose of a rate study is to evaluate the sufficiency of revenue for water and sewer utilities to revenues to carry out its intended purposes. Following the analysis, water and sewer rates were developed that when enacted will generate sufficient revenue to cover the intended purposes and meet the cost of providing water and wastewater services to residents and customers in the City. He provided a step by step process worked with staff to prepare the financial plan that would minimize the necessity for revenue increases while still meeting the purposes of recuperating sufficient revenue for operations, maintenance capital and debt service coverage.

Water Financial Plan

Mr. Fisher stated the revenue increase does not necessarily mean a rate increase. He stated that a 5% increase in required revenue does not translate directly to a 5% increase in rates for everyone. He further stated that due to the change in the rate structure, there is a very high likelihood that bills will go down because now there is a much lower fixed rate and a volume rate based on consumption so customers have the ability to reduce their bill if they use less water. He informed the additional revenue is necessary to meet increased operating costs since the rates have not been adjusted since 2009 and to pay for the lease of the site at the water treatment plant, maintenance of the pipes underground, periodic and route replacements and upgrades needed and new raw water reservoir improvements.

Proposed Water Financial Plan

The revenue increase recommendations for water is of 5% for FY 2018-19, 4.5% for FY 2019-20, 4.5% for 2020-21, 4.5% for 2021-22 and 4.5% for 2022-2023. He addressed the water cash flow projections which show the utility will lose money each year, the cash balance is reduced and the city will have a negative \$2 million in four years. Without any change, the water utilities will be in a difficult revenue situation in five years. With the increase the debt service reserve will increase from \$1.7 to \$2.7 by the end of the fifth year, which is a much more favorable position. Mr. Fisher provided a detailed explanation of the proposed rate structure change.

Mr. Alex Perrone spoke in opposition of raising the rates and in favor of instituting a water conservation plan because it is not fair to charge the citizens.

Sewer Financial Plan

Mr. Fisher advised the additional revenue is needed to meet increasing operational costs including cost of lease for treatment plat land, repair and maintenance of the system, wastewater treatment plant improvements, manhole rehabilitation and lagoon system rehabilitation. He provided the increase in sewer rates of 5% for FY 2018-19, 4.5% for FY 2019-20, 4.5% for 2020-21, 2.0% for FY 2021-2022 and 2.0% for FY 2022-23. He addressed the cash flows throughout the five years without the rate increase which would end up with \$10 million in the read. With the rate change, the cash flow is slightly negative in the first three years due to the capital program but the end of cash reserves by the end are above the target and debt service coverage is \$1.9 to 2% which is much higher than the requirement, placing the city in a much better financial position. He informed the residential rate is updated to a flat rate for sewer and the current rate is \$38 and the new rate will be \$44 which increases slightly through the fifth year. He provided a comparison with the neighboring cities and Calexico is still lower than other cities in the Valley.

Council Member Real stated the problem with the water goes back to 2009. He stated he has personally criticized the rate increase because it is not fair that for persons in a household of two pay the same as a household of five. He further stated nine years ago it was said that capital improvements were to be made and they were not made. He further stated the City is now trying to charge the residents for work that was not done and is not necessary to construct in order continue to provide water to the residents. He stated it is not fair to ask the residents for more money even though the situation is difficult.

Council Member Escobar stated the study and proposition for adjustment to the water rate will not happen today and there will be another meeting on June 27, 2018 at 6:30 p.m. He stated it is very important that the citizens know how much they are paying and how much they will pay as a result of the increase. He asked City Manager Dale and Assistant City Manager Figueroa to have real examples of the changes in order to clarify to the community what is being proposed.

Mayor Pro Tem Pacheco stated the water treatment plant needs improvements and bottom line is that the water plant has not been updated and it needs to be brought up to date for water pressure.

Council Member Hodge agreed but not off the backs of working people. He stated his concern on who benefits and who does not benefit and asked for more discussion because he is not clear on this matter.

Council Member Real commented that 98% of the water in the Imperial Valley goes to the fields and 2% goes to the residents. He stated he hoped to clarify the problem that has fallen on the council and we will try to solve it the best way possible and ask the public to work with the city.

Keith Charles asked how much the IID charges for the water. He stated he sees the need for improvements but he could not explain why the increase has to be done every year and City residents should not pay for this as stated by Council Member Hodge.

David Dale, City Manager stated the rate structure as it stands is unsustainable. He spoke about the State being in a drought which we do not see here. He stated we are in a serious drought and Lake Meade is almost at the level where they will declare a water shortage. He further stated nothing is more important than water because it is our most precious resource. He stated he proposes to provide with the best water possible. He stated the citizens have the opportunity to use less water if they so choose.

Javier Gonzalez stated there had been \$20 million three years ago in the fund. He spoke about overtime spent on repairs and how the council was told and nothing was fixed.

Manuel Orduna agreed with Mr. Escobar that examples should have been provided in the handouts of water usage to other people so that a comparison of what they pay now to the new rate to have a clear picture of how they will be affected. He further stated the way you send out the information with the tables did not make sense. And a better job could have been done in presenting the tables so they are clearer. We need to have a clear picture by examples. Idea is that we have computers and the city should come up with an average of a typical bill will increase.

Maria Godinez commented on the study and asked why Calexico is compared other cities. She also commented on the increment and asked who would guarantee that the money being paid will be used for what is being stated.

David Barbera commented on the average bill increasing to \$59.03 which is a 34% increase average and the possibilities of the increased based on the rates which could be up to 75%.

Lilia Terrazas expressed her opposition to the water rate increases and the not in favor of the water increase because they will be charged for the meters.

Elijio Alvarez would like to understand how the city is going to increase revenue when some of the citizens are going to be saving if most of the citizens do not consume the three units. He asked for an explanation as to why the city does not have an account for water and sewer instead of having it in general fund and this way it cannot be spent on overtime.

Reverend Alonso suggested that it should be clear why the rates are going up and why there is need for revenue. She suggested holding a town hall meeting to explain to the residents what is happening before action is taken. She further stated the public also needs to pay attention to what is happening and be present at the meetings.

Council Member Escobar left the dais at 8:05 p.m.

Dr. Leticia Aldana Cota stated her confusion because she is hearing this will save money however she also hears there is an infrastructure that has not been repaired in years. She asked why this had not been repaired in the past. She commented that now that the situation is critical, the city wants the people to pay and it is not fair for the city residents to have to pay for the errors of past administrations.

Luis Castro commented that in 2012 the Imperial Irrigation reduced the cost per cu. ft. to all the cities in the County. He further stated they charge sixty dollars per square acre and reduced it to twenty dollars because this is the cost to agriculture meaning that since 2012, the IID is subsidizing

all the cities and the city has saved money. He stated the city is poor and the majority of the people are minimum wage earners and any increase will affect them. He suggested looking for other ways to rehabilitate the water treatment plant. He stated affecting a poor community is not right.

City Attorney Campos stated any funds generated for water, by law, have to be used in water and cannot be transferred to the general fund. He advised there will be meeting on the budget on June 27th.

City Attorney Campos stated the public hearing needs to be continued to a date certain due to the notice given and it needs to be continued to June 27, 2018 at 6:30 p.m.

Council Member Escobar returned to the dais at 8:58 p.m.

Motion was made by Council Member Real, seconded by Council Member Hodge to keep the public hearing open and continue the public hearing to June 27, 2018 at 6:30 pm. Motion passed by the following vote to wit:

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

ADOPT A RESOLUTION ADOPTING FEES AND CHARGES FOR SOLID WASTE, AND MAKING CERTAIN FINDINGS AND TAKING CERTAIN ACTIONS RELATING THERETO.

Mayor Pro Tem Pacheco opened the public hearing at 8:34 p.m.

City Manager Dale stated that in 1997 the City entered into a contract with the current solid waste provider which includes an annual Consumer Price Index (CPI) increase which varies from 2% to 3%. He further stated the City is required by Proposition 218 to bring it forth as a public hearing and this is for the next five years per the agreement. He further stated the current provider's contract ends in 2019.

City Attorney Campos stated this is a standard CPI rate adjustment for franchise type agreements. City Manager Dale advised this increase is retroactive to January 2018. The current rate is \$18.60 and will increase to \$ 19.35.

Joong Kim addressed the end of the contract, he commented that the council is extending the contract to five years when it ends in 2019 and this is misleading the community. He stated it should be set for open bidding. Mayor Pacheco stated this is exactly what the city will do. City Manager Dale stated the City has every intention to go out to bid.

Miguel Charles, spoke about trash pick-ups decreasing from two pick-ups a week to one pick up per week. Requested information on the costs for the trash pick-ups.

Council Member Real asked how much is paid per year. City Manager Dale advised the City pays about \$1.8 million a year including franchise fees for residential only which is about \$145,000 per month. He further stated this is a pass-through and the City does not profit.

Mayor Pro Tem Pacheco closed the public hearing at 8:43 p.m.

Mayor Pro Tem Pacheco re-opened the public hearing at 8:44 p.m. to hear last speaker.

Norma Vega Spoke asked about the annual increase. She was informed it was a CPI of 2% to 3%. She commented that since the increase the service of collection of trash went to 50%. She also commented on the street sweeping services being reduced.

Motion by Hodge to Approve Resolution Adopting Fees and Charges for Solid Waste, and making certain findings and taking certain actions relating thereto. Motion was seconded by Council Member Real and passed by the following vote to wit:

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

Council took a break at 8:45 p.m.

Council returned from break at 9:00 p.m.

Council Member Hodge left the meeting at 9:00 p.m.

CONSENT AGENDA

Council Member Real pulled Item No. 8 for discussion.

Motion was made by Council Member Escobar, seconded by Council Member Real 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 June 6, 2018; Warrants from May 12, 2018 to May 25, 2018 and City Salaries from May 12, 2018 to May 25, 2018; Second Reading and Adoption of Ordinance No. 1181 – An Ordinance Adding/Amending Chapter 17.03 of the Calexico Municipal Code Pertaining to Accessory Dwelling Unit Regulations and Ordinance No. 1182 – An Ordinance Amending Section 17.01.900, Definitions, and Chapter 17.03, Residential Zones, of the Calexico Municipal Code to Revise the City’s Accessory Dwelling Unit Regulations as Required by State Law; Second Reading and Adoption of Ordinance No. 1185 - An Ordinance of the City Council of the City of Calexico Amending Chapter 17 Sections 17.05.110 - Purposes, and 17.05.120, Permitted and Conditional Uses - C Zones of the Calexico Municipal Code. Motion passed by the following vote to wit:

ITEM NO. 8. APPROVAL OF A RESOLUTION OF THE CITY OF CALEXICO ACCEPTING FUNDING FROM THE STATE OF CALIFORNIA CITIZENS’ OPTION FOR PUBLIC SAFETY (COPS) FUNDS FOR FISCAL YEARS 2016-2017 - \$93,771.27 AND FY 2017/2018 - \$100,000.00 FOR A TOTAL OF \$193,771.27 IN ADDITIONAL FUNDING.

Council Member Real asked about the COPS grant for which the city was not receiving funding.

Chief Gerardo advised the funding was not collected in 2015, once the funds are collected, the city is back on track and working with the County to obtain all funds available and draw down the funds twice a year.

Council Member Real asked if this was based on narcotic seizures. Chief Gerardo stated these funds are allocated by the State based on the size of the city however, no city receives more than \$100,000.

Motion was made by Council Member Real, seconded by Council Member Escobar to approve a resolution Accepting Funding from the State of California Citizens' Option for Public Safety (COPS) funds for fiscal years 2016-2017 - \$93,771.27 and FY 2017/2018 - \$100,000.00 for a total of \$193,771.27 in additional funding. Motion passed by the following vote to wit:

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

CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY

APPROVAL OF A RESOLUTION AND CORRESPONDING ACTIONS OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO (THE "SUCCESSOR AGENCY") REGARDING THE ISSUANCE OF ONE OR MORE SERIES OF ITS SUBORDINATE TAX ALLOCATION REFUNDING BONDS (THE "BONDS") ON A TAX-EXEMPT AND/OR TAXABLE BASIS TO PROVIDE FOR THE REFINANCING OF THE FOLLOWING TAX ALLOCATION BONDS (COLLECTIVELY, THE "REFUNDED BONDS").

City Manager Dale stated this is a method by which the City can save an estimated \$200,000 for next fiscal year and \$135,000 for the years following.

Council Member Real asked for the annual service and closing costs. Dan Massiello stated there are outstanding bonds for the Redevelopment Agency that can be refinanced. He stated the Redevelopment Agency debt is serviced and all obligations are paid through a trust fund administered by the County of Imperial. He stated the city of Calexico is one of the taxing agencies which has its property taxes allocated away to the former Redevelopment Agency. He stated any money the trust fund pays out when it's reduced due to less debt service payments will benefit the city for FY 2018-19 in the amount of \$196,000 and these funds go to the general fund as a residual distribution from the redevelopment property tax fund. He explained the process for the bonds and the review by the Department of Finance to officially get the process started. He stated the finance team would develop the bond issue and return to the board with an offering statement for review and approval. This process will take place in August or September depending on State review. He further stated the annual payments for the bonds start at about \$500,000 and peak at

about \$1.8 million and drop again to about \$500,000 through the term of the bonds which will result in savings to the affected agencies.

Motion was made by Council Member Real and seconded by Council Member Escobar to approve a resolution and corresponding actions of the Successor Agency to the Community Redevelopment Agency of the City of Calexico regarding the issuance of one or more series of its Subordinate Tax Allocation Refunding Bonds on a Tax-Exempt and/or Taxable Basis to provide for the refinancing of the following Tax Allocations Bonds. Motion passed by the following vote to wit:

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

APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE SUCCESSOR AGENCY AND THE CITY REGARDING 307-333 CESAR CHAVEZ BOULEVARD, CALEXICO, CALIFORNIA 92231 (APN 058-400-061).

Motion was made by Council Member Real to approve the resolution of the Board of Directors of the Successor Agency to the Community Redevelopment Agency of the City of Calexico approving a purchase and sale agreement between the Successor Agency and the City regarding 307-333 Cesar Chavez Blvd, Calexico, CA 92231 (APN 058-400-061). Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

CALEXICO CITY COUNCIL

APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE SUCCESSOR AGENCY AND THE CITY REGARDING 307-333 CESAR CHAVEZ BOULEVARD, CALEXICO, CALIFORNIA 92231 (APN 058-400-061).

Motion was made by Council Member Real to approve the resolution approving the purchase and sale agreement between the Successor Agency and the City regarding 307-333 Cesar Chavez Blvd, Calexico, CA 92231 (APN 058-400-061). Motion was seconded by Council Member Escobar and passed by the following vote to wit:

AYES: Pacheco, Escobar, Real
NOES: None

ABSENT: Hurtado, Hodge
ABSTAIN: None

AWARD THE BID PROPOSAL FROM GRANITE CONSTRUCTION IN THE AMOUNT OF \$5,957,460.00 (BASE BID) + \$201,875.00 (ADDITIVE BID) FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL PROJECT NO. HPLUL-5168(017) AND AUTHORIZE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF CALEXICO AND GRANITE CONSTRUCTION FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL PROJECT NO. HPLUL-5168(017).

City Manager Dale requested to continue the item due to information received from Caltrans regarding good faith effort.

Motion was made by Council Member Real to continue the item. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

Ricardo Servin commented on the fifteen cats that are still behind his home on Encanto Terrace. He stated he had spoken to the City Manager and Chief of Police and asked the city to do something about this problem.

ADJOURN TO CLOSED SESSION

Council adjourned to closed session at 9:12 p.m. to discuss the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Representatives: David Dale, 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Rudy Alarcon, et al., v. City of Calexico, et al.

USDC Southern District, Case No. 15-CV-1606 MMA (PCL)

3. Gabriel Rodriguez v. City of Calexico

Case No. CA415-020 – Appeal

4. Public Employee Appointment

Title: City Clerk

Council reconvened from closed session at 10:28 p.m.

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

ADJOURNMENT

Motion was by Council Member Real to adjourn the meeting at 10:30 p.m. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

Maritza Hurtado, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk