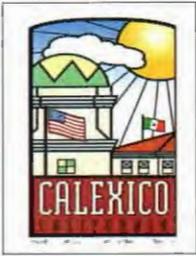


**AGENDA
ITEM**

3



AGENDA STAFF REPORT

DATE: September 18, 2019
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager
PREPARED BY: Gabriela T. Garcia, City Clerk
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of September 4, 2019

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Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of September 4, 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 Meeting of September 4, 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 Meeting of September 4, 2019.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 4TH DAY OF SEPTEMBER 2019 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 Pacheco called the closed session portion of the agenda at 5:39 p.m.

ROLL CALL

PRESENT

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

PUBLIC COMMENTS

No public comments.

ADJOURN TO CLOSED SESSION

Council adjourned to closed session at 5:40 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)

City of Calexico v. Robert Bergeson, Luis Casillas
Superior Court of California, County of Imperial,
Case No. ECU 000401

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)

Two (2) Potential Case

4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
One (1) Potential Case

Council reconvened from closed session at 6:39 p.m.

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

REGULAR SESSION AGENDA - 6:30 PM**CALL TO ORDER**

Mayor Hodge called the regular portion of the meeting to order at 6:45 p.m.

ROLL CALL**PRESENT**

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

PLEDGE OF ALLEGIANCE

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

MISSION STATEMENT PLEDGE.

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

INVOCATION

Invocation was given by Mayor Pro Tem Romero.

APPROVAL OF THE AGENDA

Mayor Hodge announced Item No.'s 14 and 22 would be removed from agenda.

Motion was made by Mayor Pro Tem Romero seconded by Council Member Pacheco to approve the agenda presented with the removal of Items 14 and 22. Motion passed unanimously.

PRESENTATIONS:**PROCLAMATION MEMORIALIZING MRS. ESPERANZA GOMEZ**

Mayor Hodge and Council Members read the Proclamation Memorializing Mrs. Esperanza Gomez. Mayor Hodge presented the proclamation to Mr. Reynaldo Gomez.

BADGE PRESENTATION BY CHIEF GERARDO TO MS. MAYRA SOTO, PARKING ENFORCEMENT OFFICER.

Chief Gerardo presented Ms. Mayra Soto with an encased badge which she wore during her service as a Parking Enforcement Officer. Chief thanked Ms. Soto for her service to the Calexico Police Department.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos announced Council met in closed session, direction was given, no reportable action was taken.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Ben Horton addressed the council regarding the Subdivision Map Act and expressed his concerns over the lot-line adjustment item discussed at the Planning Commission meeting of August 26, 2019.

Yolanda Cunningham spoke regarding the monthly meetings with the Mayor and requested accessibility with the entire council to discuss public concerns.

Jason Jung addressed issues with City the Council, City Staff and expressed his concerns over water rates,

Pedro Ortiz spoke about obtaining solutions and the lack of action by the Council. He spoke on transportation, schools and planning for the City.

Ben Horton spoke on Item No. 11 from the Consent Agenda – He commended the council on a positive action and commended Mr. Figueroa for finding a way to maintain the cultural arts center and give it a budget.

Joong Kim commented on the city not meeting in during the month of August and stated he felt the city was ignoring the public by not meeting.

Joong Kim spoke on Item No. 11 from the Consent Agenda – He spoke about the budget and addressed the budget for the cultural arts center which is without revenues. He stated there should be funds for the center from the rentals.

Joong Kim spoke on Item No. 12 from the Consent Agenda – He stated the revenues for administration should be set aside and felt there was something wrong with the budget. He requested a clear budget for the community.

Joong Kim spoke on Item No. 13 from the Consent Agenda – He stated the gas companies want to keep their business with the city but felt the energy burning times are gone. He cautioned on message to the community on the promoting of partial bonds.

Pedro Ortiz requested the council meetings be made simple. He requested the city facetime the meeting. He also requested council assistance for the small businesses.

Alberto Alvizu stated the citizens expressed negative comments regarding the council and felt bad for Calexico's lack of respect for the Council. He stated the council's need to improve themselves before the citizens of Calexico.

Armando Martinez spoke in support of the businesses in Calexico and requested the council reach out and listen to the citizens.

Jesse Garcia, 600 Lincoln advised he reported a broken sidewalk on the 500 block of Lincoln Street about two months which has not been repaired. Mr. Garcia provided a list of items that needed to be repaired. Mayor stated he would follow-up on his items.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Reisin spoke about the work downtown and reported Second Street is now a two way and the gates were added to the alleys downtown. He stated the Second Street and Imperial Avenue is open going to Mexico making it three exits to Mexico.

Council Member Pacheco asked about the Imperial Avenue medium. City Manager Dale responded it is a Caltrans project and they plan to remove it on or about March of 2020.

Mayor Hodge spoke about changing negatives to positives and trying to follow up on people's concerns. He spoke about high values, decorum, professionalism and high standards amongst the council, staff and commissions. He addressed concerns with the commissions and requested to re-evaluate the content of the applications for requirements and qualifications for the commissions. Mayor addressed decorum with those present and welcomed their constructive criticism. He addressed the repairs to the City's streets.

CITY MANAGER'S REPORT

City Manager Dale reported that he, Mayor Hodge, the Public Works Manager, and Fire Chief visited the detention center. He stated he was struck that they have 220 employees in comparison to the number of employees in the city of Calexico. City Manager stated the need for more city employees. He reported on the first quarter sales for fuel and restaurants went up and things are getting better in the City. He stated the City is working in the best interest of the 41,000 residents and will continue to do so. He reported the City is still in the hiring process for Police Officers and one officer was sworn earlier in the week and continue to interview for five more officers. He also reported hiring the dispatch supervisor.

Assistant City Manager Figueroa reported the U.S. Commissioner for the International Boundary and Water Commission Jayne Harkins will be in Calexico on October 23rd to lead the Colorado River Citizens Forum. He informed the City will be hosting a milestone event tomorrow at City Hall where the IID is partnering CENACE on a binational initiative on selling energy to Mexico. The ceremony will take place a 9:30 am. Present to this event will be the Mexican Consul, Mayor Hodge and IID President Ortega and top IID Administration.

CONSENT AGENDA

Motion was made by Council Member Pacheco to approve the consent agenda consisting of Items 7-13 as follows: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of July 3, 2017 and July 17, 2019 and July 17, 2019 Special Meeting; Warrants from July 6, 2019 to July 19, 2019 and City Salaries from July 6, 2019 to July 19, 2019; Warrants from July 20, 2019 to August 2, 2019 and

City Salaries from July 20, 2019 to August 2, 2019; Warrants from August 3, 2019 to August 16, 2019 and City Salaries from August 3, 2019 to August 16, 2019; Adopt Budget Amendment Resolution for Carmen Durazo Cultural Arts Center; Adopt Budget Amendment Resolution for Fund #111 General Fund; Adopt Resolution in Support of Balanced Energy Solution and Local Choice. Motion was seconded by Mayor Pro Tem Romero and passed unanimously.

DISCUSSION AND POTENTIAL ACTION ITEMS

REJECT ALL BIDS RECEIVED FOR THE CALEXICO NEW RIVER PARKWAY PROJECT PHASE 1B FEDERAL PROJECT NO. HPLUL-5168(015).

Assistant City Manager Figueroa stated the city has construction just above 2 million dollars for phase 1B for the Parkway Project. He informed two bids were received two bids which came in above budget. He requested to go back and make changes to the RFP in order to potentially receive bids at or below the budget. Mr. Figueroa requested council reject bids so they may RFP the project once again.

Olivia Valenzuela asked about encasing the new river. Mr. Figueroa responded the item is part of what is being considered for Calexico.

Ben Horton asked if the bids have the parameters and why is the city rejecting. Mr. Figueroa stated the funding for phase 1B construction management is 2.1 million and the city needs to stay within budget.

Joong Kim stated it was too late, a wasted money and nothing has been done. He stated he is disappointment with the way money has been wasted. He urged the city to look for funds to treat the pollution because it is an important issue due to the pollution of the Salton Sea.

Mayor Hodge requested clarification on the parts of the new river; construction safety and the parkway. Mr. Figueroa responded to the questions by Mayor Hodge and explained the timeline and the projects that have been completed for the New River. He explained the need to have the policy makers provide funding for the needed projects. He stated the money needed to complete the project is \$27.6 million and felt the city is on its way to complete the project.

Motion was made by Council Member Pacheco to reject all bids received for the Calexico New River Parkway Project Phase 1B Federal Project No. HPLUL-5168(015). Motion was seconded by Mayor Pro Tem Romero and passed unanimously.

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 4 WITH HAZARD CONSTRUCTION IN THE AMOUNT OF \$35,513.36 FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS PROJECT NO. 2018-100.

Public Works Manager Falomir stated the project is in the final stages and stated the additional request is due to additional paving to make repairs to improve sidewalks per requests from the local citizens.

Joong Kim asked why the project had taken so long. Ms. Falomir explained that since the project was started in the summer and due to weather and the lack of materials due to the number of on-going projects in the entire valley, the project was delayed. Mr. Kim requested staff minimize problems for the community.

Motion was made by Mayor Pro Tem Romero, seconded by Council Member Reisin and passed unanimously to Authorize City Manager to Sign Change Order No. 4 with Hazard Construction in the Amount of \$35,513.36 for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets Project No. 2018-100.

INTRODUCE AND CONDUCT A FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 5.80 OF THE CALEXICO MUNICIPAL CODE PERTAINING TO TAXICABS.

Mayor Hodge read the title of the Ordinance presented. City Manager Dale provided a staff report advising that AB1069 changed taxicab regulations in the State of California and required cities to adopt a new taxicab ordinance. He stated the new ordinance will assess taxicab violations, plus a \$1,000 fine for persons without proper taxicab licenses called "Raiteros" and their riders will also be fined \$100 for the first time, \$200 for the second and \$500 for the third. He advised the City will aggressively pursue this enforcement for the benefit of the legitimate taxi businesses.

City Attorney Campos stated the ordinance has been updated to reflect the taxicab operations.

Motion was made by Mayor Pro Tem Romero, seconded by Council Member Arreola-Fernandez and passed unanimously to approve the First Reading by Title Only of an Ordinance Amending in its Entirety Chapter 5.80 of the Calexico Municipal Code Pertaining to Taxicabs.

AUTHORIZE THE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND 180 SOLUTIONS, LLC FOR TELECOMMUNICATIONS COST MANAGEMENT AND COST REDUCTION.

City Manager Dale provided a brief report on the services to be provided by 180 Solutions, LLC.

Motion was made by Council Member Reisin, seconded by Mayor Pro Tem Romero to authorize the City Manager to sign agreement for professional services between the City of Calexico and 180 Solutions, LLC for Telecommunications Cost Management and Cost Reduction. Motion passed unanimously.

JUNE 30, 2018 AUDITED FINANCIAL STATEMENTS.

City Manager Dale presented the audit for Fiscal Year 2017-18 and reported the city started with a negative of over three million dollars in the general fund. City Manager provided an overview of the expenditures from FY 2014-15 to FY 2017-18. He stated the city staff has worked in collaboration, they took cuts and are doing more than one job. He informed on the progress being made in the general fund and stated the general fund will in better shape within two years. He advised the city is now showing a small reserve. He stated the findings have been addressed and should go away in the following year.

Council Member Pacheco commented on over expenditures by prior councils of up to \$8 million in a span of two years. He stated the current council is doing its job to the extent that there is a deficit. He stated the Council is working with Staff so the deficits do not happen again and thanked the staff for making it work for the 41,000 citizens of Calexico.

Council Member Pacheco left the dais at 8:19 p.m.

Joong Kim expressed his concern over the council's understanding of the budget and addressed the prior administration's overspending. He spoke on payments being made by the City to companies such as Gran Plaza.

Motion by Mayor Pro Tem Romero and seconded by Council Member Reisin to receive and file the Audited Financial Statements for Fiscal Year ending June 30, 2018. Motion passed by the following vote to wit:

AYES:	Hodge, Romero, Arreola-Fernandez, Reisin
NOES:	None
ABSENT:	Pacheco
ABSTAIN:	None

APPROVAL OF CONSULTING AGREEMENT WITH DOTEK, LLC FOR PLANNING SERVICES.

City Manager Dale provided background on the process of hiring a planning director and the city's need to hire a planning consultant to handle the city's planning services. He stated the City is pleased with the services provided by Mr. Chris Velasco representing Dotek, LLC.

Council Member Pacheco returned to the dais at 8:25 p.m.

Ben Horton stated he was happy to see that Chris Velasco was part of the team and spoke in his support.

Joong Kim stated the city needs to hire staff to do the right job and expressed his concerns on having a consultant fill the position.

Motion was made by Council Member Pacheco, second by Mayor Pro Tem Romero to approve the Consulting Agreement with Dotek, LLC for Planning Services. Motion passed unanimously.

APPROVE AND AUTHORIZE THE CITY MANAGER TO SIGN THE ENCLOSED LEASE AGREEMENT WITH SLSCO LTD.

Assistant City Manager Figueroa provided a brief staff report stating the company contractor leasing is working in the vicinity of Gran Plaza and New River and advised the property has been leased previously for staging projects. He stated the monthly rent is competitive to the value of the land.

Motion was made by Mayor Pro Tem Romero, seconded by Council Member Arreola-Fernandez to approve and authorize the City Manager to sign the enclosed lease agreement with SLSCO LTD. Motion passed unanimously.

APPROVE THE ELEMENTS AND IMPLEMENTATION OF THE PROPOSED CITY OF CALEXICO DOWNTOWN ACTION PLAN.

Assistant City Manager Figueroa provided a report on the four items key to the plan including the Creation of a pedestrian plaza on Rockwood Avenue between First Street and Second Street (Rockwood Plaza Promenade), relocation of the taxi cabs from Rockwood Avenue between First and Second Streets to First Street between Heffernan and Paulin Avenue, Installation of wall lights, street bicycle station, planters, and ornamental street lights to beautify streets and alleys and the installation of the gates at the entrance to the alley on Rockwood Avenue which is necessary for the preservation of public safety. He stated this will be a big step to change and bring back life to the downtown. Mayor Hodge commended Mr. Figueroa and staff on this positive action plan.

Council Member Reisin stated for the record that First Street between Heffernan and Rockwood will be for taxis only on the north end. He requested the one tourist van be moved one block over near the Greyhound it will be painted white for pedestrians, also in front of the alley, the green twenty minute parking followed by the orange or yellow at the south end”.

City Manager Figueroa advised the buses will continue at the island on First Street and Heffernan Avenue.

Motion was made by Council Member Pacheco, seconded by Council Member Reisin and passed unanimously to approve the elements and implementation of the proposed City of Calexico Downtown Action Plan.

INTRODUCE AND CONDUCT A FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING CHAPTER 5.76 OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE CALEXICO MUNICIPAL CODE REGARDING SWAP MEETS.

City Manager Dale clarified for the record that the staff report eludes to outdoor swap meets but this is incorrect and the ordinance does not differentiate between outdoor and indoor swap meets. He stated this began due to the ordinance not being clear or outdated since 1972. He advised this was prepared by the City Attorney and reviewed by Staff and the Las Palmas Attorney.

Joong Kim stated the ordinance is alienating the swap meet businesses. He stated the City is creating problems for the swap meet vendors and addressed the changes to the ordinances and strongly recommended the city open it up for public comment for the safety of the community. He stated the regulations will close the swap meets.

Brenda Martinez spoke in favor of the ordinance which is for both indoor and outdoor swap meets. She stated she is happy with the ordinance and is willing to work with Calexico and advised they will remodel Las Palmas for the community.

Chief Gerardo stated that when it comes to stolen goods such as cameras with scratched serial numbers it is illegal and so is the purchase of said goods. He spoke on the enforcement on the sale of stolen goods at the swap meets.

Motion was made by Council Member Pacheco, second by Council Member Reisin and passed unanimously to approve the First Reading by Title Only of an Ordinance Amending Chapter 5.76 of Title 5 (Business Licenses and Regulations) of the Calexico Municipal Code Regarding Swap Meets.

City Attorney Campos read the ordinance in title only.

APPOINTMENT OF DESIGNATED CITY REPRESENTATIVES TO THE ABANDONED VEHICLE ABATEMENT JOINT POWERS.

Motion was made by Council Member and seconded by Mayor Pro Ten Romero to appoint Cuauhtemoc "Chuck" Cortez, Interim Building Supervisor, as the primary representative and Mayra Soto, Code Enforcement Officer, as the alternate representative to the Abandoned Vehicle Abatement Joint Powers. Motion passed unanimously.

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

Mayor Hodge appointed Iran Martinez as the Administrative Hearings Officer.

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

Mayor Hodge appointed Chief Favila to the Centinela State Prison Citizen Advisory Committee.

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

Joong Kim spoke on ICTC not serving the community and commented on their recommendations of traffic control which he felt are sending people to the county. He asked the person selected to protect the city from the county because the downtown merchants are losing business.

Mayor Hodge appointed Council Member Pacheco as the primary representative and himself as the alternate.

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

Motion was made by Council Member Pacheco to appoint the Mayor as the primary representative and Mayor Pro Ten as the alternate. Motion was seconded by Mayor Pro Tem Romero and passed unanimously.

APPROVAL OF MASTER CALENDAR OF CITY COUNCIL MEETINGS FOR FISCAL YEAR 2019-20.

Mayor Hodge commented on League Conference dates and suggested moving the second meeting in October from the 16th to the 23rd.

Joong Kim spoke on the calendar for August 2020 being dark again and felt it was too long for the city to be without meetings.

Chief Gerardo stated his disagreement with comments by Mr. Kim since all other agencies and activities are slow and, if needed, the city will call a special meeting. He spoke in favor of going dark in August.

Motion was made by Mayor Pro Tem Romero to approve the Master Calendar of City Council Meetings with additional change to the meeting of October 16, 2019 being moved to October 23, 2019. Motion was seconded by Council Member Arreola-Fernandez and passed unanimously.

APPOINTMENT BY CITY COUNCIL OF A GENERAL COMMISSIONER TO THE CALEXICO HOUSING AUTHORITY BOARD.

Motion was made by Council Member Reisin, seconded by Mayor Pro Tem Romero to appoint Mr. Daniel Santillan to the Callexico Housing Authority Board. Motion passed unanimously.

FUTURE AGENDA ITEMS

Mayor Pro Tem Romero informed on the “El Grito” event in the downtown on September 13, 2019 and Oktoberfest on October 5, 2019.

ADJOURNMENT

There being no further business, Motion was made by Mayor Pro Tem Romero, seconded by Council Member Arreola-Fernandez and passed unanimously to adjourn the meeting at 9:15 p.m.

Bill Hodge, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk