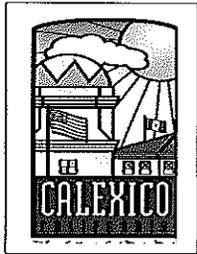


**AGENDA  
ITEM**

**3**



# AGENDA STAFF REPORT

**DATE:** October 23, 2019  
**TO:** Mayor and City Council  
**APPROVED BY:** David B. Dale, City Manager *DK for D.D.*  
**PREPARED BY:** Gabriela T. Garcia, City Clerk *GG*  
**SUBJECT:** Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of October 2, 2019

=====

**Recommendation:**

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of October 2, 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 October 2, 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 October 2, 2019.

AGENDA  
ITEM  
**3**

**THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 2ND DAY OF OCTOBER 2019 AT 6:30 PM AT THE FERNANDO "NENE" TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEIXCO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLD OF SAID MEETING.**

**CALL TO ORDER**

Mayor Hodge called the meeting to order at 6:30 p.m.

**ROLL CALL**

**PRESENT:**

Mayor: Bill Hodge  
Council Member: Rosie Arreola-Fernandez  
Council Member: Morris Reisin  
Council Member: Lewis Pacheco

**ABSENT:**

Mayor Pro Tem: David Romero

**PLEDGE OF ALLEGIANCE**

Mayor Hodge led those present in the Pledge of Allegiance.

**MISSION STATEMENT PLEDGE**

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

**INVOCATION BY PASTOR FRANK ZAZUETA, CHRIST COMMUNITY CHURCH**

Pastor Frank Zazueta, Christ Community Church delivered the invocation.

**APPROVAL OF THE AGENDA**

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

**PRESENTATIONS**

**PRESENTATION BY ESPERANZA COLIO-WARREN, IMPERIAL COUNTY DEPUTY CEO ON CENSUS 2020.**

Presentation canceled.

**PRESENTATION ON THE ECONOMIC DEVELOPMENT AND FINANCIAL ADVISORY COMMISSION ACTIVITIES BY ENRIQUE ROMAN RAMIREZ, CHAIRPERSON.**

Presentation canceled.

**PRESENTATION BY LILIANA FALOMIR, PUBLIC WORKS MANAGER ON ADOPT-A-GREEN AREA PROGRAM.**

Public Works Manager Falomir provided a presentation on the adopt-a-green area program with details on the procedures that need to be followed by the adoptees including a safety training. Ms. Falomir answered questions from the City Council.

**PRESENTATION BY MAYOR HODGE TO SANDRA TAULER UPON RETIREMENT AND 33 YEARS OF SERVICE**

Mayor Hodge spoke on Sandra Tauler's retirement and commended her for excellent work for the city of Calexico and for the many hats held during her 33 years with the City of Calexico.

**PUBLIC COMMENTS AND PUBLIC APPEARANCES**

Mayor Hodge addressed the audience regarding public comments decorum and advised on the actions he would be taking if members of the public made slanderous remarks or used profanity. He stated the City will conduct business and not to be subject to a hostile environment. He also addressed comments by Council Members and the process to be followed during said comments.

City Attorney Campos commented on the statement read by the City Clerk which states "while members of the public are encouraged to participate, it is unlawful to disturb or delay the council meeting with personal remarks" He advised that while the Brown Act does allow opportunities for comments and criticisms, it also does not protect slanderous or defamatory statements. He further stated that while the First Amendment of the Constitution protects for free speech, it also does not protect slanderous or defamatory statements.

Ben Horton presented items he would like to bring forth on the Economic and Financial Advisory Commission. He addressed the audit and commented on council not being given the findings from the audit. He spoke on CDBG Grants and the information being provided to the commission.

Javier Gonzalez spoke about the many activities during the month of October and requested proclamations for said events. He spoke on the CERT meeting at Alejandro Rivera by the Fire Department.

Alex Perrone commended Mayor Hodge on the work being done at the City Parks. He thanked the Mayor and Council for listening. He also commended Morris Reisin and David Dale for assisting investors with the necessities and asked the council to keep moving forward.

Chief Gonzalo Gerardo spoke on domestic violence and advised there is assistance for those affected.

Pedro Ortiz spoke on Cole Road Project and the new investments. He asked if the employees were full-time or part-time. He commented on comments made by Mayor Hodge with regards to public comments. He also spoke on business licenses for the merchants affected by the fire and requested support by the Council.

Carmen Estrada spoke for Amanda Camacho from the Parents Athletic League proposed the installation of a fence in exchange for the use of the park at 5<sup>th</sup> and Andrade without having to pay for the use of the park and hoped for city council to bring it forth for approval at a future meeting. She spoke on the adoption of three parks by the Parents Athletic League and the work the league has carried out at the parks.

Christian Estrada expressed concerns and requested free Wi-Fi to the public in council chambers and other buildings. He also requested information be placed on the agenda providing the public their rights with regards to the Americans with Disabilities Act. City Clerk advised him the information is already available on the last page of the agenda. He suggested the City hold workshops for people with disabilities especially for the caregivers. He spoke about the lack of communication over Oktoberfest and stated he felt the use of a non-city email for the event was unprofessional and city emails would be more beneficial.

Jesse Garcia, 600 block of Lincoln Street, commented on the city closing of public bathrooms instead of repairing them. He suggested a rod iron fence at the river bottom so people cannot damage the bathrooms.

Guillermo Hermosillo addressed the comments made by Mayor Hodge and advised him he did not agree with his comments.

Tony Dominguez, publisher for El Lechugon thanked the Police and Fire Departments, Public Works Department, Lilita Falomir, Lorena Minor, the Police Explorers and Council Member Reisin for their support during the "El Grito" event.

Joong Kim spoke on issue with Council Member Arreola-Fernandez and stated he believed something had to be done by either Ms. Arreola-Fernandez or the public. Mr. Kim also addressed the comments made by Mayor Hodge regarding public comments.

Joong Kim – Item No. 7 (Consent Agenda) Mr. Kim addressed the City hiring officers needed to do the work and address public safety. He suggested the Council make sure the officers are well informed and requested more money for safety officers.

**1:02:06** Alberto Alvizu addressed comments made by Mayor regarding comments made by the public and asked that the council be open, listen and take action on the requests from the residents. He asked the council for follow through on what the Council states will be done.

## CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Pacheco reported on the Kick Off for the 2020 Census and spoke on the importance of filling out the census. He informed the census will be electronic and the city will be providing assistance to those who do not use electronics. He informed ICTC continues to work on the Calexico Hub and Second Street expansion funding and Ollie and Highway 98 issues.

Council Member Arreola-Fernandez reported attending the Heffernan Memorial Healthcare District Press Conference, the League of Cities Dinner and retirement luncheon for Ms. Sandra Tauler. She spoke in appreciation of the work Ms. Tauler has done for the City. She reported there will be town hall meetings held regarding the construction of the border fence.

Mayor Hodge reporting attending the installation ceremony of Marina Del Pilar Ávila Olmeda, the new Mayor of the City of Mexicali. He stated he wants to renew the Sister City Agreement with Mexicali and focus on cultural event exchanges and economic development. He reported on his visit to Nosotros Park for a T-ball game and was informed that coaches are finding syringes prior to the games in the park. He stated the parks need to be cleaned before the children use it.

## CITY MANAGER'S REPORT

City Manager spoke on the importance of the First Amendment to the United States Constitution which protects freedom of speech and addressed the limits and language that prohibited by the law. He stated the City is open to criticism based on facts for the betterment of the City. He addressed slander and advised it is not tolerable. He spoke on the upcoming financial report to be presented which will demonstrate the improved fiscal status of the City. City Manager Dale spoke on forgiveness and moving forward for the betterment of the City. He stated his full support for the Chief of Police and thanked the Calexico Police and Fire Departments.

## CONSENT AGENDA

Motion was made by Council Member Pacheco, seconded by Council Member Reisin to approve the consent agenda consisting of the following: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of September 18, 2019; Warrants from August 31, 2019 to September 13, 2019 and City Salaries from August 31, 2019 to September 13, 2019; Approval of Data Sharing Memorandum of Understanding Between Calexico Unified School District and City of Calexico - Camarena Memorial Library Systems. Motion passed by the following vote to wit:

Ayes:	Hodge, Arreola-Fernandez, Reisin, Pacheco
Noes:	None
Absent:	Romero
Abstain:	None

## DISCUSSION AND POTENTIAL ACTION ITEMS

**APPROVAL OF RESOLUTION NO. 2019-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, REVISING CANNABIS CULTIVATION BUSINESS TAX RATE.**

City Attorney Carlos Campos spoke on adoption of a tax measure which was taken to the voters regarding taxing different aspects of cannabis such as taxes for cultivation, manufacturing and retail. He stated that with this resolution the City is revising the sixteen dollars per square foot of space utilized the tax around cultivation to only apply to mature cannabis plants consistent with state law and other jurisdictions.

Joong Kim stated the revenue is to pay for State fees because the crime will increase. He stated the need for more officers and would like all the funds to go to public safety and to educate the public. He expressed his concerns on public safety and stated he does not agree with distribution and testing.

City Attorney Carlos Campos explained that the reason why it states no tax is because otherwise testing and distribution would be double taxed since it would have already been taxed under manufacturing and cultivation.

Motion was made by Council Member Reisin, seconded by Council Member Pacheco to approve of Resolution No. 2019-42 - A Resolution of the City Council of the City of Calexico, California, Revising Cannabis Cultivation Business Tax Rate. Motion passed by the following vote to wit:

Ayes:	Hodge, Arreola-Fernandez, Reisin, Pacheco
Noes:	None
Absent:	Romero
Abstain:	None

**DISCUSSION AND POTENTIAL ACTION REGARDING RONALD MCDONALD HOUSE CHARITIES OF SAN DIEGO REQUEST FOR TEMPORARY USE PERMIT FEE WAIVER.**

Mayor Hodge spoke in favor of the services provided by Ronald McDonald House Charities to the residents of Calexico.

Motion was made by Mayor Hodge, seconded by Council Member Pacheco to approve the request by Ronald McDonald House Charities of San Diego for waiver of Temporary Use Permit Fee. Motion passed by the following vote to wit:

Ayes:	Hodge, Arreola-Fernandez, Reisin, Pacheco
Noes:	None
Absent:	Romero
Abstain:	None

**DISCUSSION AND POTENTIAL ACTION ON REQUEST BY MEXICAN CONSULATE FOR WAIVER OF TEMPORARY USE PERMIT AND TRAFFIC CONTROL COSTS FOR THE LAZO ROSA BINACIONAL EVENT.**

Chris Velasco, Planning Consultant, introduced the item and provided details on the walk for Lazo Rosa Binacional Event. Chief Gerardo stated the costs are minimal and will not take officers off the streets and will use traffic controllers. He further stated having no problem with the waiver.

Motion was made by Council Member Pacheco, seconded by Council Member Arreola-Fernandez to approve request by Mexican Consulate for waiver of Temporary Use Permit and traffic control costs for the Lazo Rosa Binacional Event. Motion passed by the following vote to wit:

Ayes:	Hodge, Arreola-Fernandez, Reisin, Pacheco
Noes:	None
Absent:	Romero
Abstain:	None

**APPROVE JOB DESCRIPTION & SALARY RANGE FOR POLICE RECRUIT (ACADEMY CADET)**

Chief Gerardo explained the position and stated it assist the City when recruiting from the academy. He explained the cadet will receive cadet pay while at the academy and will fall temporarily under CMEA during the process. He stated the candidates will still go through the hiring process. Chief Gerardo answered questions by the council members on the hiring process.

Joong Kim asked the city train these candidates so they stay and do not leave the city.

Motion by Council Member Reisin, seconded by Council Member Arreola-Fernandez to approve Job Description & Salary Range for Police Recruit (Academy Cadet). Motion passed by the following vote to wit:

Ayes:	Hodge, Arreola-Fernandez, Reisin, Pacheco
Noes:	None
Absent:	Romero
Abstain:	None

**AUTHORIZE THE CITY MANAGER TO SIGN AGREEMENT WITH REPUBLIC SERVICES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, AND STREET SWEEPING SERVICES**

City Manager Dale presented the item and stated the Council directed administration to negotiate with Republic for a contract. Mr. Dale provided a list of items negotiated with Republic Services including street sweeping for the entire city twice monthly and a code enforcement position for the downtown area. He advised there is an employee who is the street sweeper and he will continue to have the title until which time it is brought back to Council to make the adjustment and it is not anticipated it will be a negative adjustment for the employee however this matter continues under

discussion with CMEA. Mayor Hodge provided a statement regarding the bidding process for the item presented. City Staff answered questions from Council Members regarding prices being negotiated.

Lorena Minor, Calexico Municipal Employee Association (CMEA) President requested the Council to wait on the contract before them due to a technicality that is being worked on with Administration. She mentioned the position would be eliminated however continue to work on something for him within the city. She requested the Council give the consideration to the employee before taking action on the contract with Republic.

City Manager Dale stated there is no intention to eliminate the position until there is a meet and confer and there is a place for the employee.

Mayor Hodge requested the employee be given the respect he deserves.

Ricardo Servin spoke on his experience when he went to work for Allied Waste and requested the Council give consideration and take care of the employee.

Ben Horton spoke in support of the Republic contract and asked how the scholarship worked. City Manager Dale advised it is handled by Republic. He addressed Jack-in-box gates and informed that they have reported to corporate that the city is not in conformance. Council Member Reisin advised him that when the contract with Republic is approved they will provide \$10,000 for the gates.

Chief Gerardo thanked Republic for working as a team with the City during President Trump's visit.

Joong Kim stated the City with Mayor Hodge's support lost the money for the sweeper (\$50,000) and since then the city is going bad. He commented on City payments to Republic and on how the City takes jobs from City employees and gives the jobs to consultants.

Council Member Morris advised Republic will be giving two sweepers and the employees will keep their jobs.

Council Member Arreola-Fernandez stated she would rather wait for the next meeting to make sure that our employee gets placed and requested it be in writing before voting.

Council Member Pacheco stated there is going to be a contract with the city and have through December 31<sup>st</sup> to work out any issues with employees. City Manager Dale stated the only time constraint is for ordering the street sweeper. Mayor Hodge expressed his concerns with the employee however stated he was convinced the employee would be treated right.

Motion made by Council Member Reisin, seconded by Council Member Pacheco to authorize the City Manager to sign agreement with Republic Services for the collection and disposal of solid waste, and street sweeping services. Motion passed by the following vote to wit:

Ayes: Hodge, Reisin, Pacheco  
Noes: Arreola-Fernandez  
Absent: Romero  
Abstain: None

## **REMOVAL OF BUSINESS IMPROVEMENT DISTRICT APPOINTEE BY MAYOR HODGE.**

Mayor Hodge removed his appointee from the Business Improvement District and gave direction to advertise the vacancy.

## **CALEXICO REDEVELOPMENT SUCCESSOR AGENCY**

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

Presentation by Assistant City Manager Figueroa regarding approval of the Second Amendment to the Exclusive Listing Agreement with Faris Lee Investments, Inc.

Joong Kim spoke about keeping the Redevelopment properties if the City set up its own projects and keep the buildings and land. He suggested opening up to all real estate consultants to get a better deal.

Ben Horton spoke about the service provided by the theatre to the City of Calexico and the economic impact in the city. He asked the council to see how they are working on the economic value of the city.

Assistant City Manager Figueroa explained the Redevelopment Agency Long Range Property Management Plan (LRPMP) and the efforts to maintain the theatre in Calexico. He answered questions from the Council and advised the County Oversight Committee would ratify any action taken by the Council and report to the Department of Finance in Sacramento that the City has honored the LRPMP approved by them.

City Attorney Campos provided background due to the dissolution of Redevelopment and explained the City had to conduct an analysis on all Redevelopment properties and whether legally the City could retain them or they had to be sold. He further stated there were some properties that by law the City could not transfer for public use and had to be sold and were included in the LRPMP and now the City is following that plan for this property which needs to be sold.

Council Member Reisin asked where the money from the sale goes. City Manager Dale explained it would be split between the taxing agencies and the city would be receiving around \$800,000.

Motion was made by Council Member Reisin, seconded by Council Member Pacheco to approve the Second Amendment to the Exclusive Listing Agreement for Commercial Real Property with Faris Lee Investments, Inc. Motion passed by the following vote to wit:

Ayes: Hodge, Arreola-Fernandez, Reisin, Pacheco  
Noes: None  
Absent: Romero  
Abstain: None

**FUTURE AGENDA ITEMS**

Council Member Reisin requested an agenda item regarding the retail cannabis increase.

Mayor Hodge requested the findings from the audit reports for discussion at the next meeting.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:55 p.m.

---

Bill Hodge, Mayor

**ATTEST**

---

Gabriela T. Garcia, City Clerk