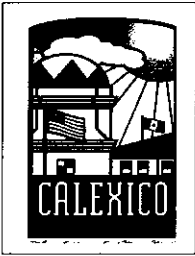


**AGENDA  
ITEM**

**3**



# AGENDA STAFF REPORT

**DATE:** November 18, 2020  
**TO:** Mayor and City Council  
**APPROVED BY:** Miguel Figueroa, City Manager *MK*  
**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 June 17, 2020

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**Recommendation:**

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of June 17, 2020.

**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 June 17, 2020 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 June 17, 2020.



**THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 17<sup>TH</sup> DAY OF JUNE, 2020 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 PURSUANT TO EXECUTIVE ORDER N-29-30.**

**CLOSED SESSION AGENDA - 5:30 PM**

**CALL TO ORDER**

Mayor Hodge called the closed session portion of the meeting to order at 5:30 p.m.

**ROLL CALL**

**PRESENT:**

Mayor: Bill Hodge  
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 5:31 p.m. to discuss the following:

**CLOSED SESSION**

**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 Management Association

Council reconvened from closed session at 6:20 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 agenda to order at 6:32 p.m.

**ROLL CALL**

**PRESENT:**

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

**PLEDGE OF ALLEGIANCE**

Mayor Hodge led those present in the Pledge of Allegiance.

**MISSION STATEMENT PLEDGE**

Mayor Hodge led those present in reciting the Mission Statement Pledge.

**INVOCATION**

Mayor Hodge led those present in prayer.

**CLOSED SESSION ANNOUNCEMENTS**

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

**APPROVAL OF THE AGENDA**

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

**PRESENTATIONS**

**PRESENTATION OF MAYORAL RECOGNITION AWARD TO PABLO “PABLITO” RENTERIA AND IGNACIO “POPS” SANCHEZ FOR THEIR SERVICE TO THE BOXING COMMUNITY.**

Mayor Hodge read the Mayor Recognition Award to Mr. Renteria and Mr. Sanchez and thanked them on behalf of the City Council for their service and support to the community.

**PRESENTATION OF BUDGET FOR FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 REFLECTING FUTURE REVENUES AND CORRESPONDING EXPENSES BASED ON ADDITIONAL DEPARTMENTAL REQUESTS.**

Karla Lobatos, Finance Director, resented an updated report showing the additional revenues to cover the additional departmental expenses. She stated all the City did was increase the revenue so when those expenses do come in the City is able to release those funds and then continue to have a balanced budget. She also informed the Council that the five-year projection has been updated.

**PUBLIC COMMENTS AND PUBLIC APPEARANCES**

Francisco Aldana submitted a question to the Council regarding an unpaid water bill left by former Council Member David Romero in the amount of \$1,371.98. He stated his client David Dorame was renting his house to David Romero and was now being pursued by the City for water he did

not use. He questioned why Mr. Romero's water was not shut off by the City after two months and why the City was not pursuing Mr. Romero for the outstanding bill.

David Dorame, owner of the home at 705 Gonzalez Court, Calexico, advised that the tenant he had for approximately two years was David Romero, ex-councilman for the City of Calexico. He stated he received a past due water bill balance for \$1,371.88. He stated he was surprised to learn that Mr. Romero was allowed to continue for over one year without making a payment toward his monthly water bill payments and allowed as a member of the City to continue accruing past due payments without any responsibility or consideration to the City while he was a representative of the City of Calexico. He further stated this is not the standard for the City to allow anyone regardless of their political affiliation and or a member of the City be allowed to take advantage and abuse the city system. He stated he should be held liable for a member of the City not paying his water bill.

Ernesto Toledo, 1229 D. Hinojosa, stated that if a member of the Council is taking bribes than the City Manager is not doing his job correctly and is possibly involved therefore it was his opinion that the City Manager also resigns.

Cesar Angel Figueroa Rubio expressed the view of various citizens of Calexico regarding issues of corruption and the issuance of cannabis based businesses. He noted that a member of the Council was involved and stated the worry of the citizens on the matter due to the negotiations brought to the City Council. He felt he could not have acted alone and there had to be several council members. He asked when the other members would resign. He further stated his concern over the possible recurrence and asked for answers and solutions without excuses.

Mayor Hodge addressed the comments and stated he would attest to the integrity of David Dale and further stated that Mr. Dale is not complicit at all in any kind of corrupt behavior. He asked that the public not generalize from one person who was allegedly doing wrong to others and know that this was the behavior of one individual and his partner and no other Council Member is involved and he stated so unequivocally.

Chief Gerardo addressed the Council regarding the police issues around the nation and updated the Council on the Police Department's actions to mitigate the happenings on the east side of the nation. Chief Gerardo provided a brief history on police reform, police defunding throughout the nation's various stages of unrest going back to the early 1900's. He addressed the methods by which the police departments could address the ever changing corruption and political agendas. He stated more training, community policing, de-escalation training and stress reduction should increase and officers should think on the fly and try hard to make the right decisions all the time. He further stated that police officers are human and will make mistakes. He stated good officers will learn from their mistakes. Chief provided issues faced by officers such as their inability to seek counseling for various matters due to public perception and the stigma faced by the officers. Chief stated his support for police officers and firefighters who protect the public. He stated his commitment to the citizens of Calexico, the City and his staff, their families and himself is to continue to strive to do better and attempt to send his officers to more training in the coming years. He stated that an officer without the training will cost more in the long run. He addressed the mandated de-escalation training by California POST and the review of use of policy, First Amendment Assembly, public recording of law enforcement activity and control device policies. He stated he hoped that funding for police training becomes a priority in the nation setting the course for true reform of law enforcement.

**CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED**

Council Member Arreola-Fernandez congratulated the Heffernan Memorial Healthcare District for their hard work distributing masks and sanitizers to the public and to the senior citizen complexes. She also thanked the persons who applied to fill the vacant seat on the Council and wished them well.

Council Member Reisin spoke in favor of the recipients of today's Mayoral recognition and thanked them for their work over the years.

Mayor Hodge informed that on June 24, 2020 at 6 pm the Calexico Neighborhood House will have a Census 2020 Car Caravan, provided details on the process to participate and addressed importance of filling out the census. Mayor Hodge spoke about his Mayorship and stated his success as mayor and accomplishments such as cleaning and restoring Rockwood Park, funding shelter for the homeless and many more other achievements could not have been possible without the help of the people at City Hall and elsewhere. He thanked the Council for their support. He thanked Mr. David Dale and Mr. Miguel Figueroa, Department Heads for their candor, kindness and respect. He especially thanked Norma Gerardo for her help and her efforts as well as Gabriela Garcia for the immense efforts. He stated he enjoyed the challenges as Mayor and was looking forward to the next Mayor.

**CITY MANAGER'S REPORT** – Nothing to report.

**CONSENT AGENDA**

Motion made by Council Member Pacheco, seconded by Council Member Arreola-Fernandez to approve the consent agenda consisting of the following: 4. Warrants from May 23, 2020 to June 5, 2020 and City Salaries May 23, 2020 to June 5, 2020; 5. Approval of the following Resolutions Relating to the November 3, 2020 General and Special Municipal Election for the City of Calexico: a) Calling for a General and Special Municipal Election to be held on November 3, 2020 for the Election of Certain City Officers; b) Resolution Requesting The Board of Supervisors of the County of Imperial to Consolidate a General and Special Municipal Election with the Presidential General Election to be held on Tuesday November 3, 2020, c) Resolution Adopting Regulations for Candidate Statements Submitted to the Voters for the November 3, 2020 General and Special Municipal Election for the City of Calexico; 6. Adoption of a Resolution Approving a Letter of Understanding Between the City of Calexico and the Calexico Police Officers' Association (POA) for the Term Beginning January 1, 2020 to June 30, 2023. Motion passed by a unanimous roll-call vote.

**DISCUSSION AND POTENTIAL ACTION ITEMS****FILL THE VACANCY ON THE CITY COUNCIL BY APPOINTMENT.**

Ben Horton submitted a comment endorsing Mr. Camilo for appointment to the City Council.

City Attorney Campos provided an update to the staff report on the agenda and stated he received confirmation within the last half hour that the third candidate, Mr. Orlando Espino withdrew his application for the appointment.

Mayor Hodge thanked all the persons who submitted an applications for the appointment to City Council. He stated he felt the City needed to move forward and the City would benefit by having the fifth council member seated. He stated three applicants were chosen for appointment.

Mayor requested a nomination for Ms. Stella Jimenez.

Council Member Pacheco stated the need for more time for a one-to-one with the applicants to have them come in to answer questions. He requested to possibly table the item for the next meeting.

Mayor Hodge opened the item up for discussion before moving forward.

Council Member Arreola-Fernandez stated she would like to make an appointment on this date.

Council Member Reisin stated he would like to appointment as soon as they can and move forward today.

City Attorney Campos clarified that the persons listed for the appointment were not in any particular ranking.

Mayor Hodge stated he is in agreement with appointment on this date and requested City Attorney's guidance on the matter. City Attorney Campos stated the item is on the agenda and the only limitation is the council having to appoint to fill vacancy within sixty days.

Mayor Hodge restated his prior request for a nomination for Stella Jimenez. Council Member Pacheco made a motion to nominate Stella Jimenez. Motion died due to lack of second.

Mayor Hodge request a nomination for Camilo Garcia. Council Member Reisin made a motion to nominate Camilo Garcia. Motion was seconded by Council Member Arreola-Fernandez and passed by a unanimous roll-call vote.

City Attorney Campos requested clarification on whether the life scan mentioned in the staff report would be required for the appointment. Council Member Pacheco stated it was a recommendation. City Attorney stated it was a recommendation of the selection committee and it was written as a condition by the selection committee based on the staff report. Council discussed the matter of the life scan and a motion was made by Council Member Reisin to waive the life scan. Motion was seconded by Council Member Arreola-Fernandez and passed by the following roll-call vote.

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

**AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND HDL COMPANIES FOR CANNABIS MANAGEMENT SERVICES.**

City Manager Dale advised HDL provides extensive cannabis support to cities and stated it would be prudent for the company to assist the City. In addition to the approval for future applicants, he also recommended approval for HDL to also handle all previously approved cannabis CUP companies due to the current situation. Mr. Dale also provided information on the costs to the companies for the review.

Police Chief Gerardo spoke in support and recommended of having HDL review all companies currently approved and future companies.

Motion was made by Council Member Pacheco, seconded by Council Member Reisin and passed by unanimous roll-call vote to authorize City Manager to sign agreement for professional services between the City of Calexico and HDL Companies for Cannabis Management Services with amendment to include all current cannabis facilities along with future applicants.

**AWARD THE BID PROPOSAL FROM AIR CONDITIONING GUYS IN THE AMOUNT OF \$32,644 AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT FOR THE REPLACEMENT OF TWO AIR CONDITIONING/HEATER PACKAGE UNITS AT CAMARENA MEMORIAL LIBRARY.**

Presentation by Lizeth Legaspi, Acting Librarian regarding the need to replace two air-conditioning units at the library. She informed the Council that Capital Improvement Funds are being utilized to fund the project.

Motion was made by Council Member Reisin, seconded by Council Member Arreola-Fernandez to award the bid proposal from Air Conditioning Guys in the amount of \$32,644 and authorize the City Manager to sign the agreement for the replacement of two air conditioning/heater package units at Camarena Memorial Library. Motion passed unanimously by the following roll-call vote:

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

**ADOPTION OF A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (UA 2020-05) FOR A CANNABIS MICROBUSINESS FACILITY, LOCATED AT 2403 VAN DE GRAAF AVENUE, CALEXICO, CA 92231.**

Presentation by Christopher Velasco, Planning Consultant regarding the approval of a Conditional Use Permit (CUP) (UA2020-05). He explained the item was brought to Council because it failed at Planning Commission and the applicant responded per the Municipal Code responded within 10 days requesting to appeal the Planning Commission's decision to deny the CUP. Mr. Velasco stated staff recommends that the City Council debate and vote on a resolution. He stated a yes vote would override the decision of the Planning Commission and would issue a CUP for a microbusiness at the Calexico Event Center at Cole Blvd. and Van de Graaf. He further stated the applicant already has a retail business and this business is for distribution, manufacturing and cultivation of cannabis. Mr. Velasco answered questions from the Council regarding procedures for appealing a decision by Planning Commission and procedures by the Planning Division.

A motion was made by Council Member Reisin to adopt a resolution approving the Conditional Use Permit (UA2020-05) for a Cannabis Microbusiness Facility located 2403 Van de Graaf Avenue, Calexico, CA 92231. Motion seconded by Council Member Pacheco and passed unanimously by the following roll-call vote:

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



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO MAKING FINDINGS, ADOPTING A MITIGATED NEGATIVE DECLARATION, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE NEW RIVER IMPROVEMENT PROJECT AND APPROVING THE PROJECT (STATE CLEARINGHOUSE # 2020049056)**

Presentation by Christopher Velasco, Planning Consultant regarding the approval of a resolution for the adoption of the Mitigated Negative Declaration (MND) for the New River Improvement Project and adopt the Mitigation Monitoring and Reporting Program (MMRP) for the New River Improvement Project.

Assistant City Manager Figueroa stated the approval of the resolution would be the cornerstone for the construction of the project. He informed the council the funding of \$28 million will be \$18 million from the State of California General Fund and \$10 million from Proposition 68 and will be part of the State of California 2020-21 budget to be approved. He stated he has been actively communicating with the Department of Water Resource and the Salton Sea Authority which are the entities that will be providing the funding. He further stated that as soon as the funding is available, the city needs to make sure that the projects begins as soon as possible in order to delay the bidding of the project. He stated tonight’s approval will open the door for more opportunities for resources to open the project.

Motion was made by Council Member Pacheco to adopt a resolution Making Findings, Adopting a Mitigated Negative Declaration, and Adopting a Mitigation Monitoring and Reporting Program under the California Environmental Quality Act for the New River Improvement Project and Approving the Project (State Clearinghouse # 2020049056). Motion seconded by Council Member Arreola-Fernandez and passed unanimously by the following roll-call vote:

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

**FUTURE AGENDA ITEMS** – No future agenda items.

**ADJOURNMENT**

There being no further business, a motion was made by Council Member Arreola-Fernandez, seconded by Council Member Reisin and passed unanimously to adjourn the meeting at 7:36 p.m.

\_\_\_\_\_  
Bill Hodge, Mayor

**ATTEST**

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Gabriela T. Garcia, City Clerk