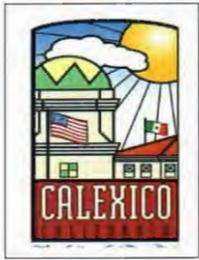


AGENDA
ITEM

3



AGENDA STAFF REPORT

DATE: November 20, 2019
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *MD*
PREPARED BY: Gabriela T. Garcia, City Clerk *GTG*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of November 6, 2019

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Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of November 6, 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 November 6, 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 November 6, 2019.

AGENDA
ITEM
3

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN SPECIAL SESSION ON THE 23RD DAY OF OCTOBER 2019 AT 5:30 PM AT THE FERNANDO “NENE” TORRES COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEIXCO, CALIFORNIA. THE DATE, HOUR AND PLACE DULY ESTABLISHED FOR THE HOLD OF SAID MEETING.

CALL TO ORDER

Mayor Hodge called the regular portion of the agenda to order at 6:34 pm

ATTENDANCE:

PRESENT:

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

ABSENT:

Council Member: Morris Reisin

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

Mayor Pro Tem Romero led those present in prayer.

APPROVAL OF THE AGENDA

Mayor Hodge announced there was an emergency item to be added to the agenda.

City Attorney Campos read the title of the emergency item: Adoption of Resolution in support of declaration of local emergency at the New River by the County of Imperial. Motion was made by Mayor Pro Tem Romero, seconded by Council Member Pacheco and passed by the following vote to wit:

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

City Attorney Campos requested to move agenda item no. 20 to be heard before the discussion and potential action items item no. 10.

Motion was made by Mayor Pro Tem Romero, seconded by Council Member Arreola-Fernandez to approve the agenda with the addition of emergency item and moving item no. 20 to before item no. 10. Motion passed by the following vote to wit:

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

PRESENTATIONS

PROCLAMATION FOR “FARMWORKER APPRECIATION WEEK” – DECEMBER 1, 2019 THROUGH DECEMBER 7, 2019

Mayor Hodge and Council Members read the Proclamation. Proclamation was presented to Elvira Anaya, Chairperson of the Farm Worker Services Coalition. Ms. Anaya thanked the Council for the Proclamation and extended an invitation to the Council Members to attend the event on December 6, 2019.

MAYOR’S PROCLAMATION FOR “2019 THANKSGIVING TURKEY BOWL” – NOVEMBER 28, 2019

Mayor Hodge read the proclamation. Proclamation was presented to Javier Gonzalez, Diego Romero and Alberto Acuña. Mr. Alberto Acuña thanked the Mayor for the Proclamation and extended an invitation to the Council to the event on November 28, 2019.

PRESENTATION ON THE POLICE ADVISORY COMMISSION ACTIVITIES BY ORLANDO ESPINO, CHAIRPERSON

Orlando Espino, Police Advisory Chairperson provided a report on various items addressed by the commission which have assisted the department with public safety. Commission has also addressed issues of staffing in the department and the city budget. He thanked the Police Department Staff for their work and for keeping our city safe.

Chief Gerardo commended the current commission for their assistance to the Department.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Jesse Garcia, 600 Block of Lincoln Street, addressed issues at Nosotros Park such as the conditions of the basketball court, drinking fountains, a hole in the fence by the river bottom, the skate park and trash cans used at the park.

Robert Peña thanked the City Council for approving the Halloween event in the downtown which was a very successful event. He thanked the Calexico Police Department for creating a safe environment and thanked Mike Solano and the Public Works Staff for their work on the event.

Javier Gonzalez addressed the council regarding the lack of events in the Kennedy Gardens which support health and wellness for the residents. He spoke about the lack of support by for the Kennedy Gardens Neighborhood.

Aeiramique Glass Blake, Ex. Dir, generation justice, running for the 51st Congressional District spoke as an advocate for the community with regards to the New River.

Supervisor Jesus Escobar addressed the Council regarding the issues with the New River and the Salton Sea and spoke about the installation of a sewer plant on the U.S side to address the New River and requested the City's full support on these matters. He advised he has created the southern border coalition and invited a member of the city council, David Dale and Miguel Figueroa to discuss relevant matters and move things forward. He announced his visit to Washington, D.C. where he was guaranteed that the Calexico West Port Pedestrian Entry would be funded in 2020. GSA will be making a presentation on to the Board of Supervisors on November 19, 2019 on the matter and urged the City also have a the same presentation made to the council so the funding comes to Calexico.

Joong Kim spoke about the two million dollar funding of the New River being utilized for design and study of the New River. He felt the funds were not utilized correctly. He encouraged the bulldogs to become more involved in the city. He addressed flooding at Daniel Gutierrez field, effective utilization of downtown Halloween event funding and commented on political signs being used at the event. He asked Mayor Hodge to be considerate of people's speaking time.

Pedro Ortiz requested the city council place an item regarding the cost of the business licenses for vendors before the next business license cycle. He addressed his concerns over the Halloween event in the downtown.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Arreola-Fernandez thanked the Fire Department for a successful pumpkin patch event. She thanked everyone involved with the Halloween Event in downtown.

Mayor Pro Tem Romero congratulated Mrs. Espino for the "Altar de Muertos" at Calexico High School. He spoke He spoke on the financial status of the City and stated the city is at 2% above prior sales tax. He thanked Calexico Chronicle for their article on the City finances and addressed the 2016 State Controller's report. He stated he is available to speak with the public regarding their concerns.

Council Member Pacheco spoke about the business licenses and stated the city needs to revisit the matter and try to make it more workable for the vendors.

Mayor Hodge stated he has been walking the neighborhoods to speak with the citizens and stated most of the persons have stated the city is doing a great job even though there is a lot of work to be done. He stated the city is moving forward and public safety is a priority. He addressed the Halloween Carnival event and stated there is a need for better balance in the city.

CITY MANAGER'S REPORT

City Manager Dale stated during the Halloween event there was a political sign and the city was not aware this was happening and stated the city will be more vigilant. He further stated the city will be working on the business licenses, and a consultant will be hired to conduct a rate study for business licenses.

Police Chief Gerardo spoke about the Halloween Carnival event in downtown and advised this year a team was brought in to work the busy intersections which reduced traffic liabilities, collisions and injuries. The extra team allowed the officers to focus on the safety of the citizens out during the Halloween night.

Miguel Figueroa spoke about the New River and acknowledged on November 19, 2019 the California Border Relations Council will be hosting their meeting in Calexico and the agenda includes several initiatives which will be presented and enacted on along with a presentation by the City of Calexico on the work being done. He advised on the revised timeline for end of 2020 completion of the current construction of Phase 1B is now being constructed on the west of town. He spoke about the and acknowledged his staff for the work being done to tour approximately fifty people in Calexico New River and bring attention to the matter. He announced Treasure Hunt retail store will be opening at the Old Vons location, he announced a target date for a ribbon cutting for Dollar General Store in March 2020 and the Chamber of Commerce and the chairman of the Economic Development/Financial Advisory Commission are involved in the opening. He also announced Planet fitness will be opening at the Cardenas Center.

CONSENT AGENDA

Joong Kim spoke about the request to the State of California for a grant and spoke about sales tax being charged to outside vendors for online purchases.

Motion made by Council Member Pacheco, seconded by Mayor Pro Tem Romero 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 October 23, 2019; Warrants from September 28, 2019 to October 11, 2019 and City Salaries from September 28, 2019 to October 11, 2019; Adoption of Resolution in Support of the Declaration of Local Emergency at the Salton Sea by the County of Imperial; Approval of Application for Alcoholic Beverage License for Dolgen California, LLC (Dollar General Store #20942), Kloke Road & De Las Flores Street, Calexico, CA 92231; Adopt a Resolution of the City Council of the City of Calexico Approving the Submittal of a Functional Classification Change for Local Streets and Roads to State of California, Department of Transportation; Adopt a Resolution Authorizing Application For, and Receipt of SB 2 Planning Grant Program Funds. Motion passed by the following vote to wit:

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

INFORMATIONAL ITEMS

FINANCE DEPARTMENT ANNUAL CALENDAR

Finance Director Karla Lobatos presented the Annual Calendar for the Finance Department including a deadlines for the requirements of the City. City Staff answered questions from the Council Members. Council acknowledged receipt of the Finance Department Annual Calendar.

DISCUSSION AND POTENTIAL ACTION ITEMS

APPROVE AN EXTENSION OF THE PUN GROUP ACCOUNTS & ADVISORS CONTRACT TO PROVIDE ANNUAL FINANCIAL AUDIT SERVICES FOR THE CITY OF CALEXICO FOR FISCAL YEARS ENDED JUNE 30, 2019, 2020 AND 2021

Finance Director Karla Lobatos requested the Council approve a three year extension of the Pun Group agreement to provide annual financial audit services and stated the cost presented is acceptable and she is satisfied with the work performed. She advised the City's financial consultant has recommended staying with the firm for the next three years followed by a request for proposals.

Motion by Council Member Pacheco to approve an Extension of The Pun Group Accounts & Advisors contract to provide annual financial audit services for the City of Calexico for fiscal years ended June 30, 2019, 2020 and 2021. Motion seconded by Mayor Pro Tem Romero and passed by the following vote to wit:

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

AUTHORIZE NEW POSITION ALLOCATION FOR (1) ADDITIONAL POLICE LIEUTENANT AND AUTHORIZE IN-HOUSE TESTING OF POLICE LIEUTENANT

City Manager Dale and Chief Gerardo addressed the needs of the Police Department for a Police Lieutenant and provide an opportunity to the officers to be promoted and requested the Council's support.

Joong Kim spoke about increasing the police officers before increasing positions in mid-management. He spoke about opening the position up for competition to outside persons in order to guarantee the best officers for the position and to not open only for in-house.

Chief Gerardo spoke about persons moving up the ranks by earning their positions. He stated his trust in his Sergeants and Police Officers as other neighboring cities do for their departments.

Sean Acuña stated history shows that officers hired from within improve morale and stated the Calexico Police Officers Association supports hiring in-house while the City continues to search for police officers.

Motion made by Mayor Pro Tem Romero to authorize New Position Allocation for (1) Additional Police Lieutenant and Authorize In-House Testing of Police Lieutenant. Motion was seconded by Council Member Arreola-Fernandez and passed by the following vote to wit:

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

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER FOR LIBRARY SOFTWARE MIGRATION

Lizeth Legaspi, Acting City Library advised the change order is for the update of the library software migration which will not have a cost to the City.

Motion was made by Council Member Pacheco, second by Mayor Pro Tem Romero to authorize the City Manager to sign change order for library software migration. Motion passed by the following vote to wit:

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

AWARD BID PROPOSAL FROM LOS ANGELES TRUCK CENTERS, LLC. IN THE AMOUNT OF \$102,922.70 FOR THE PURCHASE OF ONE (1) 2000 GALLON WATER TRUCK FOR WATER AND WASTEWATER TREATMENT PLANT

Liliana Falomir advised that through the 2019-2020 Capital Improvement Program there is funding to purchase and replace much needed equipment for the Public Works Department. She stated the city went out for bid, received one bid for the vehicle and requested council award the bid.

Motion by Council Member Pacheco to award bid proposal from Los Angeles Truck Centers, LLC. in the amount of \$102,922.70 for the purchase of one (1) 2000 gallon water truck for Water and Wastewater Treatment Plant. Motion was seconded by Council Member Arreola-Fernandez and passed by the following vote to wit:

AYES: Hodge, Romero, Arreola-Fernandez, Pacheco
NOES: None

ABSENT: Morris
ABSTAIN: None

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 7 WITH PYRAMID CONSTRUCTION AND AGGREGATE, INC. IN THE AMOUNT OF \$242,778.61 FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL-AID PROJECT NO. HPLUL-5168(017)

City Manager Dale stated Change Orders 1 to 6 were mostly for items requested by the City to be added to the project to improve the project. He stated the City was able to do this because the bid came in one million dollars below the engineer's estimate which gave the city some flexibility to upgrade the project. The items for this change order are for changes for unknown conditions.

Junior Marmolejo, Holt Group, Inc., requested approval for Change Order No. 7 in the amount of \$242,778.61 for twenty different items of which \$85,000 for 11 items are due to unknown conditions. He explained the unknown conditions in the project, \$60,000 for additional items requested for protection of utilities, \$97,408.50 for time extensions of the contract due to requests from Union Pacific Railroad for crossings at Grant Street and Second Street, costs for AT&T for theft of wiring which caused delays and additional costs.

Joong Kim stated he understood the costs due to the city problems with planning and to include more detail for a more successful plan. He stated the contractor should be aware of the unknown costs and the city should have better contracts to save tax monies.

City Manager Dale explained the changes and thanked The Holt Group for their work on the project.

Motion was made by Council Member Pacheco to authorize City Manager to sign Change Order No. 7 with Pyramid Construction and Aggregate, Inc. in the amount of \$242,778.61 for Cesar Chavez Blvd. Improvements Federal-Aid Project No. HPLUL-5168(017). Seconded by Mayor Pro Tem Romero and passed by the following vote to wit:

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

APPOINTMENT TO THE BUSINESS IMPROVEMENT DISTRICT BOARD BY MAYOR HODGE

Joong Kim pointed out Louie Wong was an elected official with Imperial Valley College and did not qualify as a commissioner.

Mayor Hodge tabled item until Mr. Wong's position could be verified.

APPOINTMENT TO THE PARKS, RECREATION, BEAUTIFICATION AND SENIOR SERVICES COMMISSION BY MAYOR PRO TEM ROMERO

Mayor Pro Tem Romero appointed Robert Morales to the Parks, Recreation, Beautification and Senior Services Commission.

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

Motion was made by Mayor Hodge to appoint Rene Felix as General Commissioner to the Calexico Housing Authority. Motion died due to lack of second.

Motion was made by Mayor Pro Tem Romero to appoint Juan G. Villarreal as General Commissioner to the Calexico Housing Authority. Motion was seconded by Council Member Pacheco and passed by the following vote to wit:

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

PUBLIC HEARING**HOLD A PUBLIC HEARING, INTRODUCE AND CONDUCT A FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING SECTIONS 5.96.020 AND 17.11.1020 OF THE CALEXICO MUNICIPAL CODE TO REMOVE INDUSTRIAL HEMP FROM THE DEFINITION OF CANNABIS**

Mayor Hodge opened the public hearing at 8:23 p.m.

Christopher Velasco, Planning Consultant introduced the item and provided a brief background on the removal of the hemp from the schedule of controlled substances. He stated the removal of industrial hemp from the definition would the City to treat industrial hemp as if it were any other commodity. The ordinance will align the Calexico Municipal Code with Federal Law and treat it as any other commodity. Mr. Velasco answered questions from council members on the various uses of hemp and advised the ordinance would allow industrial hemp to be grown in commercial and industrial zones.

Joong Kim spoke on the various uses of hemp including for building and for clothing in Korea. He stated the problems he sees is the security enforcement of growing marijuana expressed his concern for the safety of the community and the need for more officers before doing more with marijuana.

Christopher Velasco advised the Council that the Planning Commission approved the recommendation on October 14, 2019.

Mayor Hodge closed the public hearing at 8:31 p.m.

City Attorney Campos read the ordinance by title only for the record.

Motion was made by Mayor Pro Tem Romero to approve first reading of ordinance amending sections 5.96.020 and 17.11.1020 of the Calexico Municipal Code to remove industrial hemp from the definition of cannabis. Motion was seconded by Council Member Pacheco and passed by the following vote to wit:

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

HOLD A PUBLIC HEARING, INTRODUCE AND CONDUCT A FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING SECTION 17.11.1040 OF THE CALEXICO MUNICIPAL CODE INCREASING THE NUMBER OF POTENTIAL CANNABIS RETAILER, NON-STOREFRONT RETAILER, AND MICROBUSINESS PERMITS FROM SEVEN (7) TO TWELVE (12).

Mayor Hodge opened the public hearing at 8:33 p.m.

Christopher Velasco, Planning Consultant introduced the item and advised the proposed ordinance would amend Chapter 17 and increase the number of potential cannabis retailer, non-storefront retailer, and microbusiness permits from seven to twelve. He advised the Planning Commission approved a Resolution recommending the council approve of the ordinance at their meeting of October 28, 2019.

Mayor Hodge stated that staff does not anticipate that the additional retailers would adversely impact city services or negatively affect the general welfare of the citizens and additional businesses in the zone will help to revitalize the area with new development which has been goal for the zone.

Joong Kim spoke about the lack of back-up documents presented to the planning commissioners, he expressed his concerns for the persons being given additional permits and recommended the council not approve the item.

Public hearing closed at 8:37 p.m.

Council Member Pacheco asked about the limits by the State of California on retailers and dispensaries per population of one license per 10,000. He stated his concern over the city going over the population limits and in addition adding five more licenses.

City Attorney Campos stated the State is supposed to issue overconcentration however, they have not issued those numbers and the City is waiting on the timeline from the State of California. He stated the State will issue overconcentration and at that time, the city will not be able to issue

additional retail license. He stated for the time being, they will process and when the overconcentration numbers are issued and the applicants obtain their permits from the City and proceed to the State, the State will not be able to obtain. He explained that for the individual retailer there is a there is a dual licensing system for a local and state permit.

Mayor Hodge asked if the city has a right to mention the name of the business. City attorney stated the city is only approving an ordinance to increase the allowable permits.

Council Member Arreola-Fernandez asked how the ordinance would impact the city and the police department. City Manager Dale stated the department is not in favor however, the market will determine how many will be able to survive and the State will determine and it will not affect much. Christopher Velasco stated that each applicant has to fill out a robust security plan for their business which is reviewed for compliance by all department heads including the police department and the business is required to have an armed guard.

Mayor Pro Tem Romero asked if the seven companies that received CUP's have been approved by the State. Christopher Velasco advised they have all been approved. He also stated there will be a Planning Commission public hearing next Tuesday for a revocation of one of the permits.

Motion was made by Mayor Hodge approve the First Reading by Title Only of an Ordinance Amending Section 17.11.1040 of the Calexico Municipal Code Increasing the Number of Potential Cannabis Retailer, Non-Storefront Retailer, and Microbusiness Permits from Seven (7) to Twelve (12). Motion was seconded by Council Member Romero and passed by the following vote to wit:

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

City Attorney Campos read the ordinance by title only for the record.

APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO IN SUPPORT OF THE DECLARATION OF LOCAL EMERGENCY AT THE NEW RIVER BY THE COUNTY OF IMPERIAL

Motion by Council Member Pacheco to approve a resolution of the City Council of the City of Calexico in support of the declaration of local emergency at the New River by the County of Imperial. Motion was seconded by Mayor Pro Tem Romero and passed by the following vote to wit:

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

FUTURE AGENDA ITEMS

Mayor Hodge requested an item to improve lighting in the city and a presentation on feasibility of business licenses and possibly lowering the fees.

ADJOURNMENT

There being no further business, motion was made by Mayor Pro Tem Romero, seconded by Mayor Hodge to adjourn the meeting at 8:50 p.m. Motion passed by the following vote to wit:

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

Bill Hodge, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk