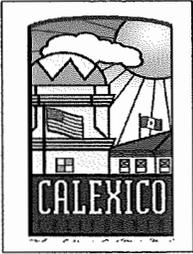


**AGENDA
ITEM**

07



AGENDA STAFF REPORT

DATE: November 7, 2018
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *DK for D.P.*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of August 1, 2018, September 19, 2018, October 3, 2018 and October 17, 2018

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of August 1, 2018, September 19, 2018, October 3, 2018 and October 17, 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:

City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of August 1, 2018, September 19, 2018, October 3, 2018 and October 17, 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 August 1, 2018, September 19, 2018, October 3, 2018 and October 17, 2018.



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 1ST DAY OF AUGUST, 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.

CLOSED SESSION

CALL TO ORDER

Mayor Pacheco called the closed session portion of the agenda to order at 5:38 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Bill Hodge

ABSENT:

Council Member: Maritza Hurtado
Council Member: Armando G. Real
Council Member Hurtado arrived at 5:46 p.m.

PUBLIC COMMENTS – No public comments.

ADJOURN TO CLOSED SESSION.

Council adjourned to closed session at 5:36 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 – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) Potential Case
3. 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
4. Public Employee Appointment
Title: City Clerk

Council reconvened from closed session at 6:40 p.m.

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

**REGULAR SESSION AGENDA
6:30 PM**

CALL TO ORDER.

Mayor Pacheco called the regular session of the agenda to order at 6:44 p.m.

ROLL CALL.

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Maritza Hurtado

ABSENT:

Council Member: Armando G. Real

PLEDGE OF ALLEGIANCE

Supervisor John Renison 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 led by Pastor Frank Zazueta, Christ Community Church.

CLOSED SESSION ANNOUNCEMENTS.

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

APPROVAL OF THE AGENDA.

City Attorney Campos requested to continue Item No. 16 - Local Initiative Measure – Establishing a Tax on Cannabis Businesses Operating within the City of Calexico, to a future special meeting date.

Motion was made by Council Member Hodge to approve the agenda with the continuance of Item No. 16 to a future special meeting. Motion was seconded by Mayor Pro Tem Escobar and passed

by the following vote to wit:

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

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Ben Horton addressed the council regarding the business improvement district and advised the city may be in violation of the resolution and by-laws of the Business Improvement District. He stated that a business paid \$100 and was told there would be a refund of the funds which was never made and he was placing the council on notice on this matter. He commented on the commissioners not being trained on procedures for the meetings.

Mark Baza, ICTC announced three workshops will be held on August 23, 2018 to discuss the northbound temporary access at the Calexico West Port of Entry. The three sessions will be from 7:30 am to 10:30 am, 12:30 pm to 2:30 pm and 4:00 pm to 7:30 pm.

Ricardo Servin advised the Lincoln Juarez Club sponsored family night at the swimming pool questioned why the children and adults were charged an entrance fee and it was supposed to be free.

James Beaver commented on commissions and reminded council that they can sit in for their commissioner if the commissioner cannot attend the meeting.

David Romero provided an update on meetings regarding the water rates and advised they will be meeting within the next two weeks to review the revised rate study, to provide updated information to the citizens and further stated the meetings are open to the public and held in the city manager's conference room.

Joong Kim stated he received the documents requested from the clerk and stated the documents missing records on Council Member Escobar's comments regarding the raising of the trash fees. He stated the council is conducting secret meetings and not letting the press attend.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Hurtado commented on letter received from Mexicali Mayor to continue working with them on international issues and asked to schedule a meeting soon.

Council Member Hodge stated he would like to see an informational item on the minutes from the commission meetings and suggested an ad-hoc committee to come up with solutions for the commissions.

Mayor Pro Tem Escobar requested a brief update on the Rockwood Project. Assistant City Manager Figueroa stated an application was submitted on the parkway project and will be looking to have the opportunity to look at CDBG for funding. Mayor Pro Tem Escobar commented on council taking an active role in the commissions.

Mayor Pacheco stated the committee on water and sewer has been meeting regarding the cost of repairs and get the word is out to the community on improvements to the plant. He announced the

first Mayor's meeting took place last week and he had a chance to hear the concerns of the citizens. He encouraged residents to attend the meetings.

CITY MANAGER'S REPORT

(Update and direction on future role of the Business Improvement District and Other City Commissions)

Assistant City Manager Figueroa advise council that the Economic Development/Financial Advisory Commission gave direction to look at the Business Improvement District (BID) to make sure the duties for the two zones are followed up on. He stated the BID has not convened for over a year and the Economic Development/Financial Advisory Commission recommended city attorney look at the possibility and the legalities of incorporating the duties of the BID into the Economic Development/Financial Advisory Commission. He stated that per the analysis conducted by the city attorney, it is a viable option for the BID to be merged with the Economic Development/Financial Advisory Commission. He further stated that as administrators this is a viable option. Given the recommendation, the by-laws of the Economic Development/Financial Advisory Commission would have to be amended to bring in the BID.

Council Member Hurtado stated the BID does not lack members. Mr. Figueroa stated the current BID roster consists of three members and notice was received of a member stepping down due to illness. Council Member Hurtado expressed her concern due to the BID receiving revenues and not being consulted regarding another commission being asked on how to direct the BID. She further stated the BID may need to reconvene to make their own decision on making the combination since BID members have a different focus.

Mayor Pacheco asked if the commission would be expanded to add more members. Mr. Figueroa stated expanding the commission is being considered and the unique duties of the BID would be incorporated. He further stated the annual levy for the BID did not take place this year and it is a matter which would have to be addressed hence the importance for representation for the BID.

CONSENT AGENDA

Mayor Pro Tem Escobar made a motion to approve the consent agenda consisting of Item No.'s 5, 6, 7, 8, 9 and 11 and Pull Items No. 10 for discussion. Council Member Hurtado requested to pull Item No. 8 for discussion.

Mayor Pro Tem Escobar restated his motion to approve the consent agenda consisting of Item No. 5 - Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of December 6, 2017; Item No.6 - Warrants from June 23, 2018 to July 6, 2018 and City Salaries from June 23, 2018 to July 6, 2018; Item No. 7 - Application for Alcoholic Beverage License for Salvador Francisco Ruiz, Mexicali Tacos & Beer, 845 S. Imperial Avenue, Calexico, CA 92231-3152; Item No. 9 - Authorize the City Manager to Execute the Proposed Amendment to Memorandum of Understanding with Imperial County Local Transportation (LTA) Regarding Reimbursement Funding to the City in an Amount Not to Exceed \$150,000 Total for FY 18/19 for the Purpose of Traffic Control Staffing Assistance for Land Port of Entry Vehicular Traffic During Cesar Chavez Blvd. Expansion Project; Item No. 11 - Approval of Work Study Agreement with IVC for FY 2018-19 and

Authorizing the City Manager to Sign the Agreement and pull Items 8 and 10 for discussion. Motion passed by the following vote to wit:

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

ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 8 - ADOPT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA IN SUPPORT OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF IMPERIAL AND THE COUNTY OF RIVERSIDE ON THE SALTON SEA.

Council Member Hurtado wanted to advise the public this is a Memorandum of Understanding with the County of Imperial with regards with Salton Sea and stated the City of Calexico does care about Salton Sea issues.

Motion was made by Council Member Hurtado, seconded by Mayor Pro Tem Escobar to approve Item No. 8. Motion passed by the following vote to wit:

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

ITEM NO. 10 - APPROVAL FOR PAYMENT OF INVOICE FOR INNOVATIVE INTERFACES FOR MAINTENANCE OF LIBRARY INFORMATION SYSTEM FOR FISCAL YEAR 2018-19.

Mayor Pro Tem Escobar stated he is not worried about the amount as much as that this has been rubber stamped since the year 2000. He commented that the city does not review, from a budgetary standpoint, third party service provider agreements. He stated each and every third party provider needs to be reviewed on a continual basis. He asked if the City has reviewed the cost associated with this agreement and cautioned on continuing to approve third party provider.

City Manager Dale stated this is a unique system. Mayor Pacheco stated it is a 50/50 split with the School District.

Motion was made by Mayor Pro Tem Escobar to approve payment of invoice for Innovative Interfaces for Maintenance of Library Information System for Fiscal Year 2018-19. Motion was seconded by Mayor Pacheco and passed by the following vote to wit:

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

ABSTAIN: None

DISCUSSION AND POTENTIAL ACTION ITEMS

APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DETERMINING AND LEVYING THE SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 2005-1 (HEARTHSTONE).

Jose Hinojosa addressed the special services tax attached to the tax roll and proposed that council vote on the levying of the tax and work with management to completely remove the special services tax.

Joong Kim stated this was approved when he was on council and commented on the collection of the CFD Bond and stated the city probably owes the money to the community. He stated they did not comply because the City gave them a waiver before completing the project and ignored the law and did not complete the street. He stated the city failed to supervise the project and is liable for not supervising. He stated he would like council to take action to recuperate from the error and help the community.

Council Member Hurtado spoke about the chart for the two sections of the tax which are the special facilities tax requirements of \$1,035,000.00 and the special services tax being referred to by Mr. Hinojosa. She asked if the special services tax is for public safety, administrative services and anticipated delinquencies is what Mr. Hinojosa is referring to as the tax that was deferred. Finance Director Lobatos responded the \$118,000 is for special services tax and the million is for payment of the debt service on the bond.

Council Member Hurtado spoke about the concerns on the possible confusion as to the way the special tax should be distributed. She stated clarification to the public is very important. City Manager Dale stated the need to look more into this matter.

Motion was made by Council Member Hurtado to approve Resolution of the City Council of the City of Calexico, California, Determining and Levying the Special Tax in Community Facilities District No. 2005-1 (Hearthstone). Motion was seconded by Mayor Pro Tem Escobar and passed by the following vote to wit:

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

Mayor Pro Tem Escobar stated the need to renegotiate the terms of the bond to make it fair for the residents.

Mayor Pacheco stated a meeting was held with the County and the Assessor's office and County Legal Counsel and they gave the City guidance on moving the process along and the city is working towards that end.

City Manager Dale stated the City need to take care of some technical issues before the County can move and the City has started that process. Council Member Hurtado asked if a real estate expert from BBK was on board. City Manager Dale stated BBK is onboard on this issue.

ADOPTION OF RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CALEXICO AND THE CALEXICO MUNICIPAL EMPLOYEES’ ASSOCIATION (CMEA) FOR THE TERM BEGINNING MARCH 1, 2018 TO JUNE 30, 2021.

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Escobar to adopt the Resolution approving a memorandum of understanding between the City of Calexico and the Calexico Municipal Employees’ Association (CMEA) for the term beginning March 1, 2018 to June 30, 2021. Motion passed by the following vote to wit:

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

ADOPTION OF RESOLUTION APPROVING A LETTER OF UNDERSTANDING BETWEEN THE CITY OF CALEXICO AND THE CALEXICO POLICE OFFICER’S ASSOCIATION (POA) FOR THE TERM BEGINNING JULY 1, 2018 AND JUNE 30, 2023.

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Escobar to adopt the Resolution approving a Letter of Understanding between the City of Calexico and the Calexico Police Officer’s Association (POA) for the Term Beginning July 1, 2018 and June 30, 2023. Motion passed by the following vote to wit:

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

PLACEMENT OF TRANSIENT OCCUPANCY (HOTEL) TAX MEASURE ON NOVEMBER 6, 2018 ELECTION BALLOT.

Assistant City Manager Figueroa stated he and the city attorney performed an analysis based on the percentage being used by other cities to charge for the Transient Occupancy Tax (TOT). He stated the City wants to make sure the city makes the best to take advantage of opportunities to bring revenues to the cities. He further stated this being done to be up to par with tax paid by persons who stay at hotels in Calexico. He further stated this is not for the general public and only for those who stay at hotels in Calexico and the fiscal impact is a revenue the City does not currently have.

City Attorney Campos stated in in terms of TOT tax and state law, voter approval is needed and in order to obtain voter approval, it needs to be placed on the November election. To carry this out, Council needs to adopt the three resolutions before them which are Resolution No. 2018-48 which places the measure increasing the TOT tax from 10% to 12%. Resolutions 2018-49 and 2018-50 are

boilerplate resolutions; 2018-49 requests the Board of Supervisors to consolidate the election and Resolution 2018-50 sets timing and regulations for the arguments in favor and against the measure. He stated the need to adopt the resolutions by a 4/5 super majority vote of the council.

Motion was made by Mayor Pro Tem Escobar, seconded by Council Member Hodge to approve Resolutions for Placement of Transient Occupancy (Hotel) Tax Measure on the November 6, 2018 Election Ballot. Motion passed by the following vote to wit:

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

LOCAL INITIATIVE MEASURE – ESTABLISHING A TAX ON CANNABIS BUSINESSES OPERATING WITHIN THE CITY OF CALEXICO.

Item was continued to a future special meeting date.

CITY COUNCIL APPROVAL OF THE FOLLOWING:

a. Reject the Bid Submitted by Granite Construction Company as Nonresponsive for Failure to Demonstrate Good Faith Efforts to Comply with Federal Disadvantaged Business Enterprise Regulations. b. Reject the Bid Protest Submitted by Granite Construction Company. c. Waive the Minor Deviations in the Bid Submitted by Pyramid Construction and Aggregates, Inc. and Award a Contract to Pyramid Construction and Aggregates, Inc., as the Lowest Responsible Bidder Submitting a Responsive Bid, in the Amount of \$5,984,593.00 (Base Bid) + \$37,625.00 (Additive Bid) for Cesar Chavez Blvd. Improvements - Federal Project No. HPLUL-5168(017). d. Authorize the City Manager to Sign the Construction Contract between the City of Calexico and Pyramid Construction and Aggregates, Inc., for Cesar Chavez Blvd. Improvements - Federal Project No. HPLUL-5168(017).

Joe Richardson, author of letters included in the staff report, commented on the Cesar Chavez widening project, the lack of requirement for the DBE goal and the requirement to follow Title 49, part 26 of the Code of Federal Regulations. He stated Granite Construction complied with all the regulations in Title 49, part 26 and the details of their compliance with the stature were discussed in their meeting with the City on July 17, 2018 and restated in their letter dated July 19, 2018. He stated the City had originally accepted their good-faith effort as a portion of the responsive bid package and it was only after Caltrans sent a memo asking the city to obtain more information that the City reversed their position. He stated Granite answered all the questions asked by the City and never received any feedback as to where the submittal was deficient. He further stated that without feedback, they logically assumed that they had complied with all requirements and all questions were answered to the satisfaction of the City. Mr. Richardson stated the second bidder was afforded the opportunity to fix non-compliant documents after bid day allowed to submit documents they originally forgot to submit with the bid package. He

stated this is inconsistent administration of the process and has the appearance of a situation in which the competitive bid process is no longer being applied. He also stated there is only \$30,000 between the base bid of the two contracts and it has the appearance that the City has turned this into a best value procurement process, and if this is the case, it is a violation of public contract code and best value was not the procurement process specified. He asked if the price difference was significant between the bids, if the city would still reject their bid, all bids or make a different determination. He stated they prepared a fully responsive bid and expect the City to do the right thing and award the bid as outlined in the bid documents. He stated their bid was responsive and it is being rejected due to factors that have nothing to do with the responsiveness of their submittal. He asked the process be consistent for all bidders and that procurement be handled as outlined in the bid documents and that the rules and guidelines be followed and if they were not going to be awarded, that the City reject all bids and re-bid the project.

Jeff Mercer spoke regarding Granite's bid and rejection of their protest to Pyramid. He stated they protested Pyramid's bid for three items. One item was that they did not include the contractor's license numbers for their sub-contractors as required by state law and they were given the opportunity to do it. He stated they did not include an equal opportunity certification for their sub-contractors and they were allowed to turn them in on the 27th of July. Mr. Mercer questioned the certifications submitted by Pyramid and stated they were incorrect. The third item protested was the DBE requirement which requires the sub-contractors have the price for items of work and questioned detailed items bid by the sub-contractors.

Ralph Pipkin, Estimator Project Manager for Granite stated he participated actively in the DBE process for this bid and also put the bid together. He stated he believed that because of the subjective nature of decisions that are being made on behalf of the DBE's in the project, they have been excluded unfairly. He stated they are the low bid and have turned in the good faith effort. He pointed it was a goal and not required percentage to hit. He asked that council take another look at Pyramid's documents.

Ricardo Servin asked who decides the bids and stated Granite is a better company. He requested council take a better look at the bids and consider the decision to be made.

City Attorney Campos stated the staff requests to proceed with staff recommendation. For the record, it is noted that the July 19th letter from Granite was not part of the package and it was distributed to City Council as part of the record.

Mayor Pacheco requested a motion to approve listed items as follows: a. Reject the Bid Submitted by Granite Construction Company as Nonresponsive for Failure to Demonstrate Good Faith Efforts to Comply with Federal Disadvantaged Business Enterprise Regulations. b. Reject the Bid Protest Submitted by Granite Construction Company. c. Waive the Minor Deviations in the Bid Submitted by Pyramid Construction and Aggregates, Inc. and Award a Contract to Pyramid Construction and Aggregates, Inc., as the Lowest Responsible Bidder Submitting a Responsive Bid, in the Amount of \$5,984,593.00 (Base Bid) + \$37,625.00 (Additive Bid) for Cesar Chavez Blvd. Improvements - Federal Project No. HPLUL-5168(017). d. Authorize the City Manager to Sign the Construction Contract between the City of Calexico and Pyramid

Construction and Aggregates, Inc., for Cesar Chavez Blvd. Improvements - Federal Project No. HPLUL-5168(017). On motion by made by Mayor Pro Tem Escobar, seconded by Mayor Pacheco, motion passed by the following vote to wit:

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

AWARD PROPOSAL AND AUTHORIZE THE CITY MANAGER TO SIGN AGREEMENT OF PROFESSIONAL SERVICES WITH THE HOLT GROUP, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR CESAR CHAVEZ BLVD. IMPROVEMENT PROJECT FEDERAL PROJECT NO. HPLUL-5168(017).

City Manager Dale stated an outside committed reviewed the proposals for the project. Three proposals were received and the committee recommended The Holt Group as the most qualified firm for the project and the price proposed is reasonable.

Joong Kim questioned why the city has to hire a firm to monitor the project. He felt the city is throwing away money and stated staff should handle the work.

City Manager Dale stated every agency and city uses outside firms to do construction management. This project is far beyond what the City is able to do and this is a substantial project and there is a need for an outside firm to handle the monitoring.

Motion was made by Council Member Hodge, seconded by Mayor Pacheco and passed by the following vote to wit:

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO (CITY) PURSUANT TO PUBLIC CONTRACTS CODE (PCC) SECTION 20168 FINDING THAT AN EMERGENCY EXISTS DUE TO A COLLAPSED SEWER PIPELINE AND AUTHORIZE CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO PCC SECTION 22050.

Victor questioned if this was an emergency or if the city could wait a one or two months. He commented on problems with legal bids and stated his concern with awarding without bids. He stated the city can call for bids or can the city crews do this.

Joong Kim stated that as an emergency without bidding, the city will be charged high. He commented on a plan in case pipes break and pre-bid in case of pipes breaking. He stated the need to be more creative on repairs, to save money and be efficient and stated this is bad for the community.

Mayor Pacheco stated this is the reason why the City is looking at the water and sewer rates in order to project long term repairs in the old sections.

City Manager Dale stated a pipe that is collapsing in the street is a public hazard and due to this reason, the city cannot wait to bid it out.

Council Member Hurtado stated the need to appreciate that the City Manager has experience and is taking these issues seriously. She stated that waiting may have been what placed the city in this position and due to past circumstances, the city has not moved on projects and agrees with City Manager Dale on the need to move forward.

Council Member Hodge stated the City Manager Dale has the experience on the matter and this incident does qualify as an emergency.

Mayor Pacheco stated the city needs to think of the 40,000 residents in the city.

Victor Rodriguez stated he understood emergencies and stated there are companies that can provide the bid in a couple of days and repairs can be made in a couple of days. He stated that if the city says emergency, they will charge for everything. Mr. Rodriguez was advised that three proposals were received and the lowest proposal was selected. Mr. Rodriguez concurred with the proposals received.

Motion was made by Council Member Hurtado to approve the Resolution of the City Council of the City of Calexico (City) Pursuant to Public Contracts Code (PCC) Section 20168 Finding that an Emergency Exists Due to a Collapsed Sewer Pipeline and Authorize Contracting Without the Need for Bidding Pursuant to PCC Section 22050. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

AUTHORIZE CITY MANAGER TO SIGN AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CALEXICO AND WILLDAN FINANCIAL SERVICES FOR ADDITIONAL PROFESSIONAL SERVICES TO UPDATE THE WATER AND WASTEWATER RATE STUDY.

Joong Kim stated he was sad to see council had been convinced and not know how to read the budget because the city has \$41 million. He spoke about \$16-\$20 million the City will receive in profits in the next five years. He further stated the City wants to spend more for salaries and benefits when staff can do the work themselves. He expressed his concerns about the City expenditures and asked the council members to do their job.

Motion was made by Council Member Hurtado, seconded by Council Member Hodge to Authorize City Manager to Sign an Amendment to the Agreement between the City of Calexico and Willdan Financial Services for Additional Professional Services to Update the Water and Wastewater Rate Study. Motion passed by the following vote to wit:

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

PROVIDE DIRECTION TO MOVE FORWARD TO EXPAND COMMERCIAL ACTIVITIES WITHIN THE CANNABIS OVERLAY ZONE AND HOST A COMMUNITY FORUM

Assistant City Manager Figueroa stated that on May 2, 2018 the council made a selection for an ad-hoc sub-committee and a meeting took place in June and the sub-committee provided direction to staff on expectations and work to be done. One of the items was to hold a public forum and have experts in the field provide information to the community including commercial cannabis activities and requested direction from council to move forward.

Council Member Hodge stated that under the existing zoning amendment, commercial cannabis activity does not include, delivery, dispensing and retail sale of cannabis or cannabis products. He further stated the ad-hoc committee has taken this into consideration and this is what is meant by expanding commercially and request council provide direction to expand commercial cannabis activities within the cannabis overlay zone and direct staff to host a community forum to inform and educate the public on expansion of cannabis activities.

Mayor Pro Tem Escobar commented that commercial cannabis will happen sooner than later and Calexico needs to capitalize sooner than later however, the public needs to weigh in on whether or not they want this in the community.

Motion was made by Council Member Hodge to provide direction to move forward to expand commercial activities within the cannabis overlay zone and host a community forum. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

Council Member Hurtado stated she voted no because the community is not ready for this and federal partners have come to council to warn that that this is not a good thing for the Calexico being that it is a border city.

RATIFICATION OF ECONOMIC DEVELOPMENT/FINANCIAL ADVISORY COMMISSION MINUTES FOR MEETINGS OF OCTOBER 12, 2017, NOVEMBER 7, 2017, JANUARY 9, 2018, FEBRUARY 27, 2018 AND MAY 9, 2018.

Motion was made by Mayor Pro Tem Escobar, seconded by Council Member Hodge to approve the Ratification of the Economic Development/Financial Advisory Commission Minutes for Meetings of October 12, 2017, November 7, 2017, January 9, 2018, February 27, 2018 and May 9, 2018. Motion passed by the following vote to wit:

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:30 pm.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 19TH DAY OF SEPTEMBER, 2018 AT 6:30 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 Pacheco called the meeting to order at 6:37 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Bill Hodge

ABSENT:

Council Member: Maritza Hurtado
Council Member: Armando G. Real
Council Member Real arrived at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Miguel 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.

PRESENTATION BY WALLY J. LEIMGRUBER, IMPERIAL VALLEY COALITION REGARDING FAIR-SHARING-OF-WATER.

Wally Leimgruber spoke on the Imperial Valley Coalition Regarding Fair-Sharing-of-Water introduced speakers John Pierre Menvielle, former Imperial Irrigation District (IID) Director and Heidi Rodriguez, El Centro Teacher. Mr. Menvielle spoke as a landowner and former IID Director and advised the land owners, through a court proceeding, are trying to get control of the irrigation water in the valley take away control of the water and take it away from the Imperial Irrigation District. He stated the importance of Calexico residents continue to receive its water from the Imperial Irrigation District and not from another entity which would create turmoil and chaos. He spoke in favor of the IID staying in control of the water in the Imperial Valley. He asked for the city’s support of the resolution in favor of the IID keeping the water issue.

Heidi Rodriguez, Teacher in El Centro, spoke in support of the IID on the appeal against Mike Abatti. She spoke about the water being in public trust and possibly ending in private hands. She spoke about the cons in having the water be private and asked the city join the city of El Centro in passing a resolution in favor of the IID.

Mr. Leimgruber stated he has gone before other councils to keep the water in trust with the IID and not to a handful of individuals. Mr. Leimgruber provided a brief history on the water rights and the formation of the IID. He stated the IID makes the water affordable to all users advised how legal action was started by one person regarding the IID equitable distribution plan being unlawful. He spoke against the court decision made by Judge Anderholt and provided a history of the case filed in court by Mr. Mike Abatti. He stated the decision could impact every region and requested the council consider a resolution whereby the city would come along the side of Imperial Irrigation District as a friend of the court.

City Manager Dale requested Mr. Leimgruber discuss the potential water shortage on the Colorado River. Mr. Leimgruber stated the hydrology on Colorado River has become so serious that that cutbacks could be encountered as soon as 2020 and even Mexico could encounter cutbacks. He further stated Lake Mead is just above the drought line and the IID has the largest portion of the Colorado River. He addressed the actions taken in 2003 to secure the water for the Imperial Valley.

Council Member Real arrived at 7:00 p.m.

PROCLAMATION IN SUPPORT OF ATTENDANCE AWARENESS MONTH – SEPTEMBER 2018 FOR THE CALEXICO UNIFIED SCHOOL DISTRICT.

Mayor Pacheco led the Council in the Proclaiming September 2018 in Support of Attendance Awareness Month for the Calexico Unified School District. Proclamation was received by Mrs. Hortencia Armendariz, Calexico Unified School District.

PRESENTATION BY DAN MASSIELLO, KOSMONT COMPANIES REGARDING WATER AND WASTEWATER FINANCING OPTIONS AND OPPORTUNITIES; REFUNDING OF 2007 WATER BONDS; FINANCING WATER AND WASTEWATER CIP; MINIMIZING POTENTIAL RATE INCREASE.

Mr. Dan Massiello, Kosmont Transaction Services provided a presentation on the Water & Wastewater Financing options and opportunities for the refunding of the 2007 Water Bonds Financing Water and Wastewater CIP Minimizing Potential Rate Increases. He stated the City adopted a Capital Improvement Program for the Water System that calls for the expenditure of \$14.8 million and a Capital Improvement Program (CIP) for the Wastewater System that calls for the expenditure of \$38.4 million through 2023. He addressed the accumulation of substantial reserves by water and wastewater. He stated the City recently received the results of a rate study that called for substantially increasing rates dramatically spending down cash reserves to pay for both future operations and the CIP's and the presentation will present options for consideration designed to capture savings.

Council Member Real spoke on the bond funding and stated the funding is restricted and cannot be used for general fund. Mr. Massiello concurred with Council Member Real and advised the funds are restricted to the projects for the bond. He stated the city has outstanding water system lease revenue bonds that are in the money to be refinanced for savings. He advised staff presented the funding opportunity which was verified by Kosmont Transaction Services (KTS). He stated KTS analyzed savings opportunity, CIP requirements and anticipated rate increases as presented

in June. He advised the preliminary findings were presented to the Economic Development and Finance Commission on August 21, 2018 which revealed potential to realize substantial savings by refunding the 2007 water bonds and the potential to dramatically reduce rate increase production. He stated the Commission agreed it would be a good idea to pursue the 2007 refunding and as part of that process, he discussed options with Willdan, the City's consultant. Mr. Massiello explained the process presented to the commission for consideration and stated the current recommendation is to use reserves to redeem most of 2007 Bonds, issue refunding bonds to refinance the balance and issue new bonds to fund CIP.

Mr. Massiello stated there is an opportunity to take advantage of low interest rates to reduce projected rate increases for both the Water and Wastewater systems and paying for the Water and Wastewater CIPs with a properly balanced combination of a bond refunding (Water), new financing and system reserves (both Water and Wastewater) is projected to lessen the impact of projected rates increases. He advised staff is working with a team of finance professionals to bring a financing package to the Commission later this month and will likely include both water and wastewater financing strategies and the combining of the financings through the City's Financing Authority could reduce issuance costs. He advised the item will return to Council after vetting proposed structures and approaches with the Commission.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

City Attorney Carlos advised those present that comments on Consent Calendar would be heard under public comments and the audience shall not make any personal slander remarks.

Andrew Triviso, Member of Mt. Signal 4-H spoke about 4-H being a national program that helps serve the community. He communicated that 4-H encourages to use head and heart. He presented the 4-H project to the Fire Department, audience and Council.

Jesse Garcia spoke on the conditions of Rodriguez Park, the need for maintenance and advised he went to clean up the parking lot. He suggested Vincent Memorial High School pay for the use of the park. Mr. Garcia provided a list of items needing repair at the park, addressed fire hazards due to the dry Oleanders and further stated the park is not handicap accessible. He also informed of the storm drain at Lincoln and Lee Avenues clogging up and when it rains. He thanked Public Works for the crosswalk at Blair Avenue and Ethel Avenue and thanked the city for the security light at the Rodriguez Park playground.

Lawrence Gales stated his reason he is speaking is because on July 31, 2018 he filed a Title 6 complaint. He spoke on the rights of a citizen under Title 6. He stated he would like to know who the City Title 6 Coordinator is and he stated he was directed to call Human Resources which he did without a return phone call. He stated he would like to take up the issue with the City's Title 6 Coordinator and requested a contact from the City.

Joong Kim stated the Council is only interested in falsely informing and attacking the community. He addressed comments by City Attorney and stated this could cause chaos at a later date. He requested copies of document he signed on raising the rates. He also addressed the bad conditions of the parks and how the city was giving away funds to the big companies instead of fixing city

roads which are in bad conditions. He addressed the city issuing bonds for which the city pays double and stated he funds should be for the citizens.

Javier Moreno reported on the success of the School Safety Coalition event that took place on Thursday, September 13, 2018. He spoke on attendance by Calexico schools and by Council Member Escobar and Council Member Hodge. He thanked the city for the use of the facility.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Real addressed his prior comments and suggested the new council members should tour the parks and city facilities. He stated council needs to start building sub-committees made up of a council members to work with the departments. He addressed the importance of improving city parks and park adoptions and the need to put up signs for the families who work on them. He addressed asking the companies working in Calexico for their help with the parks.

Council Member Hodge addressed comments by Mr. Jesse Garcia and requested Rodriguez Park be made a priority.

Mayor Pro Tem Escobar spoke on the great success of the School Safety Coalition event. He addressed the port of entry and spoke on travel into Calexico. He spoke on options for persons coming north into Calexico and the bottleneck happening on 2nd and Imperial and suggested traffic coming north should be allowed to travel east. He spoke on the new businesses in Calexico and on the aesthetics of Calexico, specifically on tires. He spoke on the presentation by Mr. Leimgruber and stated it is important for the Valley and Calexico and suggested this be brought back to the council. He reported on the Calexico Rotary's first annual talent show on November 20th at the Carmen Durazo Cultural Arts Center.

Mayor Pacheco reported he attended the 911 event which honored Firefighters, County personnel and Police Department. He announced the Unveiling ceremony for the Border Wall Mural Project Unveiling on October 16, 2018. He reported attending the Calexico Chamber meeting and the League of Cities Conference.

CITY MANAGER'S REPORT

City Manager Dale addressed a question of his integrity and a question that came up on one of the firms on the agenda of which he was a part owner. He informed he has not been with the firm since 2004. He provided a brief history on his expertise in the engineering field, in water treatment and how he has designed and built water treatment plants. He further stated he has worked with most of the local engineering firms at some time and he has no financial incentive in any of these firms. He stated he is very cautious when he is spending city money and that integrity is very important when serving the public. He stated he has faith in the community because the community has great potential. He informed the water rates will be presented to City Council at the meeting of October 3, 2018 and will be taken to the public committee and Economic Development Commission who are working to lower the impact of rates on citizens. He addressed the Measure D Bonds, and advised the city has spent approximately \$ 7 million in projects within the city. He spoke on parks and stated the city is continues to work on to improve them. He

addressed Port-of-Entry and stated there is work on a second lane and the right turn has not been allowed because it is a potential traffic issue.

Miguel Figueroa spoke about the park bond on the November election and the city's interest in applying for funding. He informed Calexico Brewing will hold the first annual Oktoberfest community celebration on October 20th at Crummett Park in conjunction with the City/Chamber of Commerce and the Calexico Recreation Department.

CONSENT AGENDA

Motion was made by Mayor Pro Tem Escobar 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 27, 2018 and July 5, 2018; Application for Alcoholic Beverage License for Edward Del Real, La Fuente Mini Mart, 737 Emerson Avenue, Calexico, CA 92231; Adopt a Resolution of the City Council of the City of Calexico Supporting Proposition 69 and Opposing Senate Bill 1 (SB 1) Repeal. Motion was seconded by Council Member Hodge and passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION ITEMS

ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN WATER ENTERPRISE FUND AND WASTEWATER ENTERPRISE FUND REVENUES TO THE CITY'S GENERAL FUND TO COMPENSATE THE GENERAL FUND FOR GROUND-LEASE RENTAL OF REAL PROPERTY TO THE WATER AND WASTEWATER ENTERPRISES FOR THEIR OPERATIONS.

David Romero addressed Council on taking funds from enterprise funds and projects on agenda to make improvements to the to the water and sewer parks. He asked council to hold off on this action and stated he is willing to adopt a park when the council brings it for consideration.

Joong Kim spoke on the city renting the utilities when there are leases with other entities for \$1. He asked the council to think about it and make it better for the community.

Council Member Hodge stated he has no problem with adoption of the resolution however expressed legal concern. City Attorney Campos responded it was reviewed to make sure it was sound legally and there is Proposition 218 and Proposition 26 and be compliant. He advised for background purposes that the City's wastewater and water treatment facilities currently sit on about 28 acres of land that are assets of the general fund. He stated there is a study prepared by Urban Futures, Inc. and the document shows the fair lease value of the land. He further stated that because facilities are sitting on general fund land it is basically a lease for the use of the land.

Mayor Pacheco asked about this being an annual fixed amount as a lease payment and City Attorney Campos responded it was correct.

Mayor Pro Tem Escobar expressed his concern on the city continuing to lease out properties on one dollar leases due to the state of the city's finances and the need for revenues. City Manager Dale concurred with comments by Council.

Motion was made by Council Member Hodge, seconded by Council Member Real to Adopt the Resolution approving the transfer of certain Water Enterprise Fund and Wastewater Enterprise Fund Revenues to the City's General Fund to compensate the general fund for ground-lease rental of real property to the Water and Wastewater enterprises for their operations. Motion passed by the following vote to wit:

AYES: Pacheco, Escobar, Hodge, Real

NOES: None

ABSENT: Hurtado

ABSTAIN: None

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND THE HOLT GROUP, INC. FOR PRELIMINARY ENGINEERING FOR WATER TREATMENT PLANT IMPROVEMENTS.

City Manager Dale stated the City's permit requires the water treatment plant to have an operator 24 hours a day due to the water treatment plant not having the proper infrastructure to operate without an operator. He addressed the issues with the water treatment plant and stated the city is looking at options regarding the use of chlorine to disinfect the water.

Council Member Real questioned if the item was a need and confer issue. City Manager Dale stated it is a study on the matter and there is no change at this time. Council Member Real stated he spoke on bidding process and on selecting the lowest bidder and questioned why the city is not selecting the lowest bidder. City Manager Dale stated that when it comes to professional services you do not necessarily go with the lowest price and do look at qualifications. City Manager Dale advised the city is trying to use the as-needed list approved in 2016 and explained the process for obtaining proposals.

Council Member Real asked who makes the firm selection. City Manager Dale responded public works reviews and he makes the decision. Council Member Real stated his concern with the cost issue due to the City's budget issues and suggested going with the lowest bidder.

Mayor Pacheco stated the City Manager and staff have the expertise and he will back up and support city staff.

Council Members discussed the effectiveness of chlorine gas and its replacement. City Manager Dale responded it is more effective and a little cheaper and he addressed the possible health issues with chlorine gas. He stated hydrochloride is a liquid solution and advised most entities are moving to liquid chlorine instead of gas. Council Members expressed their concerns over not going

with the lowest bidder. City Attorney responded that if it was a public works contract, by law, they would have to issue it however, for professional services you look at experience quality.

Joong Kim stated the need to think on the future of the city of Calexico. He asked if there was any chance that instead of fixing the current plant to build a new plant for the future. He recommended to build a new plant.

Motion made by Council Member Real, seconded by Mayor Pro Tem Escobar to Authorize City Manager to Sign Agreement for Professional Services between the City of Calexico and The Holt Group, Inc. for Preliminary Engineering for Water Treatment Plant Improvements.

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

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND DYNAMIC CONSULTING ENGINEERS FOR WATER PIPELINE REPLACEMENT PROJECT.

Motion was made by Council Member Real, seconded by Council Member Hodge to Authorize City Manager to Sign Agreement for Professional Services between the City of Calexico and Dynamic Consulting Engineers for Water Pipeline Replacement Project. Motion passed by the following vote to wit:

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

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND BJ ENGINEERING & SURVEYING, INC. FOR SEWER MAIN REPLACEMENT PROJECT.

Motion was made by Council Member Real, seconded by Council Member Hodge to Authorize City Manager to Sign Agreement for Professional Services between the City of Calexico and BJ Engineering & Surveying, Inc. for Sewer Main Replacement Project. Motion passed by the following vote to wit:

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

AUTHORIZE THE CITY MANAGER TO SIGN CHANGE ORDER NO. 2 WITH GAME TIME/GREAT WESTERN IN THE AMOUNT OF \$27,951.56 FOR INSTALLATION AND SURFACING OF CORDOVA PARK PLAYGROUND RENOVATION THROUGH U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE.

Motion made by Council Member Real, seconded by Mayor Pro Tem Escobar to authorize the City Manager to sign change order no. 2 with Game Time/Great Western in the amount of \$27,951.56 for installation and surfacing of Cordova park playground renovation through U.S. Communities Government Purchasing Alliance. Motion passed by the following vote to wit:

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

Council Member Real commented that California communities is something is not very fond of because he thinks there should be bids from local entities. Mayor Pro Tem Escobar commented on taking care of city funds and stated it behooves the city to be more proactive when it comes to tax monies. Real stated the should be a policy that change orders are no more than 5% or 10% in change orders.

FUTURE AGENDA ITEMS

Council Member Real left the meeting at 8:50 p.m.

Council Member Hodge requested an action plan for Public Works on downtown and parks.

Mayor Pro Tem Escobar requested an item on the adopt a park campaign.

ADJOURNMENT

There being no further business, meeting adjourned at 8:51 p.m.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 3RD DAY OF OCTOBER, 2018 AT 6:30 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 Pacheco called the meeting to order at 6:43 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Maritza Hurtado

ABSENT:

Council Member: Bill Hodge
Council Member: Armando G. Real

PLEDGE OF ALLEGIANCE

Miguel 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.

INVOCATION

Invocation was given by Pastor Frank Zazueta of Christ Community Church.

APPROVAL OF THE AGENDA.

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

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

PRESENTATIONS

PROCLAMATION HONORING CODE ENFORCEMENT OFFICER APPRECIATION WEEK - OCTOBER 7-13, 2018.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Carmen Durazo addressed the Council to speak on behalf of the committee who is working on saving a piece of the wall which was from the Binational Mural Project on the border. She stated the monument symbolizes the friendship between the Cities of Mexicali and Calexico. She invited everyone to the unveiling on October 16, 2018 at 5:00 p.m. followed by an exhibit and reception at the Durazo Cultural Arts Center and she reached out to the community for donations for the event.

Laura Estrada, Field Representative for Assembly Member Eduardo Garcia, gave a brief presentation on accomplishments for Assembly Member Garcia for the end of the two-year legislative cycle for the 56th Assembly District and stated their continued support for Calexico.

Joong Kim spoke regarding Mayor Pro Tem Escobar's comments that he had raised the trash fees. He demanded copies of the documents Joong Kim signed raising the trash fees. He commented on the bad conditions of city parks and asked the Council Members to do their jobs.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Hurtado reported on Cancer Awareness Month, the Pretty in Pink Luncheon for cancer awareness, the farm worker breakfast event in December, the meeting on October 18, 2018 for the Imperial Valley Employer Advisory Council and stated the Mexican Consul is trying to assist locals on October 9, 2018 to open their knowledge of visas for professionals and investors.

Mayor Pro Tem Escobar spoke on public safety and hiring peace officers for the community. He spoke about neighborhood watch as an avenue for the community to become involved. He addressed code enforcement in Calexico and on empowering the community to assist the city staff. He spoke about the adopt-a-park program and the need to empower ourselves and support and fully engage the community. He stated he was privileged to attend Iran Martinez's retirement party and stated he received inspiration from his words. He informed the Rotary Talent show will be held at the Durazo Cultural Arts Center on October 20, 2018 from 3 p.m. to 9 p.m.

Mayor Pacheco reported he went with the San Diego Port Authority and Supervisor Renison to Mexicali to meet with PIMSA. He also attended the Rotary Club meeting and made a presentation on the City's activities.

CITY MANAGER'S REPORT

David Dale informed the 300 trees received from a grant will be installed throughout the in February. He addressed the issues with the parks and the parks restrooms and advised he is working diligently on the parks and funding alternatives. He addressed the adopt-a-park program and the insurance issues related to it.

Sgt. Legaspi addressed the Council on neighborhood watch and the communication between the city and the community. He stated the program has worked in the past and police officers attend the meetings and provide training to the residents.

Assistant City Manager Figueroa reported he attended a breakfast organized by PERCOPIO on September 27, 2018, in honor of new executive officer for the Regional Water Control Board - Paula Rasmussen and

stated it was a great opportunity to further discuss matters that address Calexico and to get assurance from former executive officer Jose Angel for the Ms. Rasmussen with regards to the New River Project. He stated that within the last quarter of this year, the city expects to bid out the bicycle path and pedestrian pathways North of De Anza Road. In addition, city continues to make strides to obtain additional resources for this project. He informed of a community event by Calexico Brewing Company – Octoberfest. He stated he felt that the experience should be shared with various agencies within the Valley. He advised of the NOFA for CDBG and stated they will come back to the Council on this matter.

CONSENT AGENDA

Motion was made by Mayor Pacheco, seconded by Mayor Pro Tem Escobar 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 July 18, 2018, August 8, 2018, September 5, 2018 and September 7, 2018; Ratification of Economic Development/Financial Advisory Commission Minutes for the Meeting of August 21, 2018; Warrants from August 18, 2018 to August 31, 2018 and City Salaries from August 18, 2018 to August 31, 2018; Warrants from September 1, 2018 to September 14, 2018 and City Salaries from September 1, 2018 to September 14, 2018; Application for Alcoholic Beverage License for Michael Maldonado, One Eleven Club, 545 S. Imperial Avenue, Calexico, CA 92231-2609; Discussion and/or Action to Consider Rescheduling the Regular City Council Meeting of November 21, 2018 to Wednesday, November 28, 2018 Due to the Thanksgiving Holiday. Motion passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION ITEMS

APPOINTMENT AND SWEARING IN OF CITY TREASURER.

Joong Kim spoke on the appointment of the city treasurer and stated he felt it should be a person from outside the city. He strongly recommended to the council to open up the position to persons outside the city.

Deputy City Clerk Garcia swore in Ms. Karla Lobatos as the City Treasurer.

ADOPT A PLAN TO MODIFY THE WATER AND SEWER RATE STRUCTURES OVER THE NEXT FIVE YEARS AND AUTHORIZE CITY MANAGER TO BEGIN THE PROPOSITION 218 NOTIFICATION PROCESS AND SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTION OF UPDATED WATER AND WASTEWATER RATES.

Council Member Hurtado left the dais at 7:21 p.m.

Commissioner Ben Horton stated the Economic Development and Financial Advisory Commission reviewed and feels the council should look very closely at this matter. He stated the commission heard from the community and look forward to making it more palpable to the community. He stated this increase will stay within the 2% cost and be extended for thirty years and will not impact the community and there is more work to be done on the matter.

Leopoldo Rodriguez thanked the city for the work done at his home for the meters. He expressed his interest in future meetings and was informed on the upcoming meeting. He stated he did not agree with the increase or the chlorine change to liquid and would like more discussion on the matters.

Joong Kim stated he is disappointed because the same company was hired for the work. He spoke about lawsuit against the city of San Juan Capistrano for not charging what it takes to provide the service.

Kevin Burnet, Willdan Financial Services provided alternative rates for Calexico. He addressed the purpose for a rate study, he explained the rate study process and stated there are two options on both the water and sewer rates to be effective in January 2019. He informed the water utility is not currently meeting its annual costs and is losing money, costs are increasing and the city has critical capital projects that need to be completed. He advised the increase would be 8% over the next five years with a 2% increase beginning in 2019. He stated the rate structure for all customers was updated and customers will now pay for the water used and the base charge will change by increasing by meter size. The base charges are reduced. He presented the annual rate increases through year 2023 for water and sewer, a comparison to neighboring cities and stated Calexico is the lowest and continues to be the lowest even with the proposed rate increase. He presented the sewer financial plan and advised the sewer utility is spending more money than it is generating, the cash reserves are being used up and the additional revenue is needed to meet costs and operate the system, provide funding for capital projects and ensure reserve cash is available for emergencies. He presented two options recommended for sewer and stated the rates are lower than shown previously due to a more comprehensive view being taken on the capital planning and financial needs going forward and it will be a combination of bond issues and the use of current city reserves plus the increases in order to develop a more palatable set of options for council to consider. He presented option 1 which are increases of 2% for three years matching inflation. Option 2 is lower in the first two years and a little higher to make up for the difference. He stated the only real change being proposed to the sewer rate structure is for residential customers with more than one dwelling unit will see additional units charged at a lower rate consistent with water. He advised the difference with options 1 and 2 is whether the higher rate is paid in the front end or the back end however they will both be at the same place at the end of year five. He addressed comparisons with neighboring cities and Calexico again is at the lower. He advised the public hearing is scheduled for November 28, 2018, new rates would be effective January 1, 2019 and the first rate adjustment would be in July 1, 2019.

City Manager Dale addressed the questions of guaranteeing the funds would be used for capital improvements. He stated by law, in the bond you must state what the funds are being used for and the city must use the funds for said purpose and it also addresses lower rates.

Mayor Pro Tem Escobar asked if there was brainstorming on potential federal and state funding to assist on infrastructure issues for both water and sewer

Council Member Hurtado returned to dais at 7:52 p.m.

City Manager Dale answered there are few opportunities for grants to larger cities for water and sewer infrastructure. He addressed failing infrastructures for all cities across the United States and advised the city's infrastructure was installed in the 60's and it is time to address these issues.

Mayor Pro Tem Escobar requested full disclosure for the community and a system generated that discloses overall cash inflows and outflows along with a net cash position. He suggested explaining the investment from a water and sewer standpoint that will be taken into a five year plan from financial and investment perspective and to fully engage the community.

Mayor Pro Tem Escobar encouraged the community and the ad-hoc committee to visit the water plant so they can understand the issues of the plant.

Council Member Hurtado asked about future increments and asked if there is a comparison with our neighbors for the next five years. Mr. Burnett responded he would include the rates comparing Calexico to other cities as well.

Council concurred that it is easier to explain with the two options at hand. Motion was made by Council Member Hurtado for Option No. 1. Motion was seconded by Mayor Pro Tem Escobar and passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION REGARDING COUNTY REGISTRAR OF VOTERS REQUEST FOR WAIVER OF TEMPORARY USE PERMIT FILING FEE.

Motion was made by Council Member Hurtado, seconded by Mayor Pro Tem Escobar to approve request by the County Registrar of Voters for Waiver of Temporary Use Permit Filing Fee. Motion passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION REGARDING FARM WORKERS SERVICES COALITION OF IMPERIAL COUNTY REQUEST FOR WAIVER OF TEMPORARY USE PERMIT FILING FEE.

Motion was made by Council Member Hurtado, seconded by Mayor Pro Tem Escobar to approve request for waiver of temporary use permit filing fee requested by the Farm Workers Services Coalition of Imperial County. Motion passed by the following vote to wit:

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

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND BENEFITMALL FOR PAYROLL SERVICES.

Karla Lobatos, Finance Director provided a report on the services to be provided by BenefitMall and advised they are the lowest bidder for the project. She stated they will train the employees and the employees will be able to view their paychecks online and make changes to their W-4 on their own.

Ms. Denise Garcia, HR Manager provided background on BenefitMall's work. She stated BenefitMall is capable to tailor the screens to the city's needs thereby reducing the time spent on the process.

Mayor Pro Tem Escobar asked for the savings with the new system and was informed by Ms. Lobatos the savings will be about \$55,000.

Council Member Hurtado question the time period of the agreement. Ms. Lobatos it will be one year to start and if approved, the implementing of the MOU's and payroll processing will begin January 2019. Council Member Hurtado asked if the city will continue to use the fingerprint scan for punching in and was advised it would continue.

Motion was made by Council Member Hurtado, seconded by Mayor Pro Tem Escobar to authorize City Manager to sign agreement for professional services between the City of Calexico and Benefitmall for payroll services. Motion passed by the following vote to wit:

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

AUTHORIZE THE CITY MANAGER TO PURCHASE MUSCO SPORT LIGHTING FOR JOEL REISIN FIELDS UNDER SOURCEWELL (FORMERLY NJPA) COOPERATIVE PURCHASE AGREEMENT.

City Manager Dale advised the city received a grant from the IID to install lighting at the Joel Reisin field. He stated an electrical engineer designed the project, it was bid out and prior bids were rejected because they came in over budget. He stated there have been discussions to have some of the work done on a volunteer basis and to purchase the equipment from the grant funds and volunteers will conducting the work.

Motion was made by Mayor Pro Tem Escobar, seconded by Mayor Pacheco to authorize the City Manager to purchase Musco sport lighting for Joel Reisin fields under Sourcewell (formerly NJPA) cooperate purchase agreement. Motion passed by the following vote to wit:

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

APPROVE REVISED JOB DESCRIPTION FOR POLICE SERGEANT.

Motion was made by Council Member Hurtado, seconded by Mayor Pro Tem Escobar to approve revised job description for Police Sergeant. Motion passed by the following vote to wit:

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

FUTURE AGENDA ITEMS

Mayor Pro Tem Escobar requested items for code enforcement, adopt-a-park and neighborhood watch programs.

Mayor Pacheco asked if the restrooms at Border Park were working and he was informed by City Manager Dale they are still locked however there is a possibility of opening them during the day and closing them at night.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:20 p.m.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN A REGULAR SESSION ON THE 17TH DAY OF OCTOBER, 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

CALL TO ORDER

Mayor Pacheco called the closed session portion of the agenda to order at 5:42 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Maritza Hurtado

ABSENT:

Council Member: Armando G. Real
Council Member Real arrived at 5:43 p.m.

PUBLIC COMMENTS – No public comments.

ADJOURN TO CLOSED SESSION

City Council adjourned to closed session at 5:42 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)

Gabriel Rodriguez v. City of Calexico

OAH Case No. 2017011182

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

City of Calexico v. Rudy Alarcon

Imperial County Superior Court Case No. ECU000297

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Rudy Alarcon v. City of Calexico
Imperial County Superior Court Case No. ECU000318

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
City of Calexico v. Luis Casillas
Imperial County Superior Court Case No. ECU000401

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 Pacheco called the regular meeting portion of the agenda to order at 6:30 p.m.

ROLL CALL

PRESENT:

Mayor: Lewis Pacheco
Mayor Pro Tem: Jesus Eduardo Escobar
Council Member: Bill Hodge
Council Member: Armando G. Real
Council Member: Maritza Hurtado

PLEDGE OF ALLEGIANCE

Miguel 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.

CLOSED SESSION ANNOUNCEMENTS

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

APPROVAL OF THE AGENDA

Motion was made by Council Member Hodge, seconded by Council Member Real and passed unanimously to approve the agenda as presented.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Ben Horton addressed the Council about supporting the businesses and regarding businesses coming from outside the city selling food to the students at the high school and the effect on local restaurants.

Council Member Hurtado left the dais at 6:40 p.m.

Jason Jung addressed the Council regarding meeting held yesterday and past incidents and stated the Chief of Police had lied regarding the amount of documents the Chief of Police provided to the District Attorney's office. He expressed his concerns regarding the Chief of Police and his personal thoughts regarding the Chief of Police.

Council Member Hurtado returned to the dais at 6:46 p.m.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Hodge spoke about delays in delivering building permits to the public and the effects on developers coming to Calexico. He requested training for the staff and for Calexico to become more business friendly in order to help Calexico with economic growth and business retention. He asked to restore the highest efficient training of the commissions. He spoke on the lack of police officers on the streets which he felt was unacceptable for the safety of the community and the officers. He addressed the hiring process and stated the city could not wait on hiring officers. He provided a report on the SCAG 29th annual demographic workshop on June 11, 2018.

Mayor Pro Tem Escobar congratulated the Mayor Pacheco, Mrs. Carmen Durazo and Mr. Victor Carrillo and staff for their work and participation in the Binational Mural Project. He announced the Rotary Club's first talent show at 3:00 p.m. at Carmen Durazo Cultural Arts Center and Oktoberfest at Crummett Park at 6:00 p.m. both on Saturday, October 20, 2018, IVEDC will host the inauguration of their new offices in Imperial at 4:00 p.m. on October 18, 2018. He also requested to move along on the neighborhood watch, code enforcement volunteer program and adopt-a-park.

Council Member Hurtado spoke on the visas conference hosted by the Mexican Consulate for professional visas and opportunities for Mexican investors in Calexico. She announced the health fair held at the Calexico Community Center, gave kudos on the Binational Mural Project, spoke on Breast Cancer Awareness Month and the announced the Aguila's Pink games which begin on Friday, October 19, 2018.

Council Member Hurtado left the dais at 7:00 p.m.

Council Member Real addressed issues with the local restaurants, the necessity to adapt and be progressive and allow new businesses into the community and review city fees. He spoke on Accessory Dwelling Units and the cost to build in Calexico. He also spoke about the lines on Imperial Avenue to cross to Mexico and the traffic issues crossing into Mexico.

Council Member Hurtado returned to the dais at 7:05 p.m.

Council Member Real also discussed the traffic control issues coming into Calexico and the fiscal impact on Calexico.

Mayor Pacheco announced the breakfast for the Agriculture Field Workers event on December 7, 2018 from 1:00 a.m. to 5:00 a.m., October 25, 2018 reception for new San Diego State President Adela de la Torre, City received an invitations to the Centinela State Prison Anniversary tours on October 30, 2018 and invitation from Heber for their 5K, parade and talent show on October 27, 2018.

CITY MANAGER'S REPORT

City Manager Dale spoke about the fee study and advised he is putting together a request for proposal. He reported on Measure D project is nearing completion and advised many streets will be paved in the next month. He provided an update on Cesar Chavez project which moving forward and on schedule.

Assistant City Manager Figueroa acknowledged the council members who attended the City's cannabis community forum. He addressed the wait times to exit into Mexico and stated the city is taking proper measures to address the matter and alleviate the traffic. He reported on the Opportunity Zoned Program, an economic tool available for future public investors.

Mayor Pro Tem Escobar suggested creating an ad-hoc committee to address traffic issues during the upcoming holiday season.

CONSENT AGENDA

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Escobar and passed unanimously 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 August 22, 2018; Warrants from September 15, 2018 to September 28, 2018 and City Salaries from September 15, 2018 to September 28, 2018; Adopt Resolution of the City Council of the City of Calexico Authorizing the Submittal of an Application, Acceptance of an Allocation of Funds and Execution of a Grant Agreement with the California Department of Transportation, for an Airport Improvement Program (AIP) Matching Grant.

Council Member Hurtado left the meeting at 7:20 p.m.

DISCUSSION AND POTENTIAL ACTION ITEMS

2017-18 GENERAL FUND UNAUDITED FINANCIAL RESULTS

Finance Director Lobatos provided a detailed report on fiscal year 2017-18 and a first quarter report. She advised that for FY 2017-18 the City is at \$14.9 million in revenues from sales tax and \$14.6 million in general fund expenditures which reflect strong expenditure control. She informed

that the expenditures for the 2017-18 budget did exceed the 2017-18 budget by \$149,000. She reported the two areas of concern were traffic control temporary staffing as well as outside legal counsel for the Police Department. She informed the general fund is trending at a loss of \$72,000 which is slightly higher than predicted. She stated expecting to close the books by early December with auditors coming in early January and hope to have audited financials by March of next year.

Mayor Pacheco asked when the quarterly tax comes in. He was informed the funds are coming in now.

Ms. Lobatos informed on the first quarter for 2018-19 and stated there are some negative notes and there is loss in revenues of about \$189,000 however, she is optimistic this gap will be closed with new incoming revenues and continued expenditure control. She reported to date the city is trending a loss of \$15,000 which is significantly lower than in previous years.

Mayor Pro Tem Escobar asked about the wastewater advance under capital costs and if the \$742,554 is taken away from the \$2,141,266 leaving \$1,398,912 not \$1,452,741 which meant it would be positive for Calexico by \$54,000. He was advised by Ms. Lobatos that he was correct.

Mayor Pro Tem Escobar asked if there are numbers on traffic control and legal fees and whether they were recurring numbers. Ms. Lobatos informed him the numbers are recurring and under operating costs professional services.

Mayor Pro Tem Escobar asked where the city stood on ambulance fees. Ms. Lobatos stated staff has started to see revenues coming in, however, not at the rate expected and are discussing additional ways to bring in revenues and will bring it forth in November or December.

Chief Gerardo advised the council the Fire and Police fee study is scheduled to be presented to the Council in December for implementation in July 2019.

Mayor Pacheco asked for the possibility on the billing. Ms. Lobatos stated the city is looking into the correct billing and other issues with this matter.

Council Member Real commented on the possibility of hiring a grant writer or hiring a grant writing firm.

Mr. Joong Kim addressed the council on the report provided and stated the report did not include complete information on revenues and expenditures through September 2018. He commented only general fund was addressed and the enterprise fund revenues and expenses were not reported.

City Manager Dale stated the item was intended to provide an overview of the general fund for the last fiscal year and it is unaudited and do plan to bring the current status of the current year at the next council meeting.

Alex Perrone commended Ms. Lobatos on the transparency of the report provided. He advised the City to watch the professional services. He spoke about bringing in a full-time City Attorney and City Engineer. He requested the City move on economic development and the need to sell

Calexico to bring in money through Economic Development. He addressed the traffic study conducted by Caltrans for the Port-of-Entry and need to speak to them.

INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO PROHIBITING PERSONS FROM FEEDING FERAL CATS.

City Manager Dale addressed the multiple complaints on the cats issue and stated the city is trying to avoid cat euthanasia and in response to the complaints BBK has drafted an ordinance against feeding the cats and hopefully stop the growth of the cat population.

Motion was made by Council Member Real, seconded by Mayor Pro Tem Escobar to introduce and waive the first reading of an ordinance prohibiting persons from feeding feral cats. Motion passed by the following vote to wit:

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

Mayor Pacheco read the ordinance by title only.

INTRODUCTION & WAIVE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL ADDING CHAPTER 1.28 OF TITLE 1 TO THE MUNICIPAL CODE TO RECOVER COSTS AND ATTORNEYS' FEES IN NUISANCE ABATEMENT MATTERS AND AMENDING SECTION 1.26.180.

Mayor Pacheco read the Ordinance by Title only.

Ralph Morales stated that for any property deemed a nuisance and city staff goes in to clean the property, the only fees that can be charged to the property owner are for code enforcement, police and fire. He stated that with ordinance being presented, it will allow the time the city attorney spends in court and obtaining the necessary documents from the court to be charged to the property owner. He further stated this ordinance need to be put in place because the costs become costly to the city. Mayor Pro Tem Escobar asked if there would be a lien in place. Mr. Morales advised him it would be a tax lien.

Motion by Council Member Escobar, seconded by CM Real to introduction and waive first reading of an Ordinance Adding Chapter 1.28 of Title 1 to the Municipal Code to Recover Costs and Attorneys' Fees in Nuisance Abatement Matters and Amending Section 1.26.180. . Motion passed by the following vote to wit:

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

ITEM NO. 12 - AUTHORIZE THE CITY MANAGER TO SIGN A MASTER EQUITY LEASE AGREEMENT AND RELATED MAINTENANCE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC., FOR A PERIOD OF SIXTY (60) MONTHS FOR VEHICLE LEASE PROGRAM AND ITEM NO. 13 - AUTHORIZE THE CITY MANAGER TO SIGN A MASTER EQUITY LEASE AGREEMENT AND RELATED MAINTENANCE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC., FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR VEHICLE LEASE PROGRAM.

Joong Kim stated his opposition on leasing out to a private business. He asked why the city had to lease and not buy the vehicles. He did not agree with contracting out.

Motion was made by Mayor Pro Tem Escobar to approve Item No.'s 12 and 13. Motion was

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

AUTHORIZE CITY MANAGER TO SIGN CHANGE ORDER NO. 1 WITH PYRAMID CONSTRUCTION AND AGGREGATE, INC. IN THE AMOUNT OF \$247,920.00 FOR CESAR CHAVEZ BLVD. IMPROVEMENTS FEDERAL AID PROJECT NO. HPLUL-5168(017).

City Manager Dale addressed desire from the Council to look into opportunities to improve the aesthetics of the city and he proposing to install decorative street lights and banner bars along Cesar Chavez for consideration. He advised the funds come from the SB1 federal grant and Measure D.

Joong Kim stated it looked like city did not have a plan and stated this would delay construction. He requested due diligence on the request for proposal process.

Motion by Mayor Pro Tem Escobar to Authorize City Manager to Sign Change Order No. 1 with Pyramid Construction and Aggregate, Inc. in the amount of \$247,920.00 for Cesar Chavez Blvd. Improvements Federal Aid Project No. HPLUL-5168(017). Motion was seconded by Council Member Hodge and passed by the following vote to wit:

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

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND THE HOLT GROUP, INC. TO PROVIDE ENGINEERING AND INSPECTION SERVICES FOR 2019 STREET IMPROVEMENT OVERLAY PROJECT.

City Manager Dale advised the City is finishing the Measure D project and asphalt will be completed in a month. He stated the City has a Measure D Bond in the amount of \$12 million to spend over the next three to four years and recommended to move forward to award The Holt Group.

Mayor Pro Tem Escobar requested a revised plan on the street improvements.

Joong Kim commented that the City contracting out services that could be done by City employees.

Motion by Council Member Hodge to authorize City Manager to sign agreement for professional services between the City of Calexico and the Holt Group, Inc. to provide engineering and inspection services for 2019 Street Improvement Overlay Project. Motion was seconded by Mayor Pro Tem Escobar and passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION REGARDING CONSULATE OF MEXICO REQUEST FOR WAIVER OF TEMPORARY USE PERMIT FILING FEE FOR THE FARM WORKERS FAIR & BREAKFAST

Motion was made by Council Member Real to approve request by Consulate of Mexico for Waiver of Temporary Use Permit Filing Fee for the Farm Workers Fair & Breakfast. Motion was seconded by Mayor Pro Tem Escobar and passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION REGARDING CONSULATE OF MEXICO REQUEST FOR WAIVER OF TEMPORARY USE PERMIT FILING FEE FOR THE LAZO ROSA BINACIONAL WALK FOR BREAST CANCER AWARENESS FOR BOTH SIDES OF THE BORDER.

Motion was made by Mayor Pro Tem Escobar to approve request by Consulate of Mexico for waiver of temporary use permit filing fee for the Lazo Rosa Binacional Walk for Breast Cancer Awareness for Both Sides of the Border. 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

APPOINTMENT BY MAYOR PACHECO TO THE CENTINELA STATE PRISON ADVISORY COMMITTEE.

Mayor Pacheco appointed Chief Diego Favila to the Centinela State Prison Advisory Committee.

FUTURE AGENDA ITEMS

Council Member Real requested the television in City Hall Lobby show city projects.

Mayor Pacheco thanked Ms. Falomir for all her work.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:12 p.m.

Lewis Pacheco, Mayor

ATTEST:

Gabriela T. Garcia, Deputy City Clerk