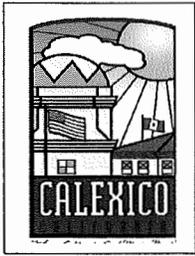


**AGENDA
ITEM**

8



AGENDA STAFF REPORT

DATE: June 6, 2018
TO: Mayor and City Council
APPROVED BY: David B. Dale, City Manager *DD*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *[Signature]*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of April 18, 2018, May 2, 2018 and May 16, 2018

=====

Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of April 18, 2018, May 2, 2018 and May 16, 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:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of April 18, 2018, May 2, 2018 and May 16, 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 April 18, 2018, May 2, 2018 and May 16, 2018

**AGENDA
ITEM
8**

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 18TH DAY OF APRIL, 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 Pro Tem Pacheco called the closed session portion of the meeting to order at 5:36 p.m.

ROLL CALL

PRESENT:

Mayor Pro Tem: Lewis Pacheco
Council Member: Bill Hodge
Council Member: Armando Real

ABSENT:

Mayor: Maritza Hurtado
Council Member: Jesus Eduardo Escobar

Adjourn to closed session

Council adjourned to closed session at 5:38 p.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Luis Casillas v. City of Calexico (Arbitration)
2. 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
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
Two (2) potential cases

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 Pro Tem Pacheco called the meeting to order at 6:30 p.m.

ROLL CALL.

PRESENT:

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

ABSENT:

Mayor: Maritza Hurtado

PLEDGE OF ALLEGIANCE.

Miguel Figueroa led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE.

City Manager Dale led staff and those present in the Mission Statement Pledge.

INVOCATION.

Pastor Frank Zazueta, Christ Community Church led those present in prayer for the City.

CLOSED SESSION ANNOUNCEMENTS.

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

APPROVAL OF THE AGENDA.

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

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

PRESENTATIONS**PROCLAMATION OF EARTH DAY ON APRIL 22, 2018 AND ARBOR DAY ON APRIL 28, 2018.**

Mayor Pro Tem Pacheco led the Council in the reading of the Proclamation declaring Earth Day on April 22, 2018 and Arbor Day on April 28, 2018. Proclamation was presented to Mr. Javier Gonzalez. Mr. Gonzalez invited the community to the celebrations on April 28, 2018, he advised Mr. Alex Campillo will be honored for his service and requested the Mayor to sign the neighborhood certificate in honor of Mr. Campillo.

PROCLAMATION OF VETERANS APPRECIATION MONTH - MAY 2018.

Mayor Pro Tem Pacheco led the Council in the reading of the Proclamation declaring May 2018 as Veterans Appreciation Month. Council presented the Proclamation to Mr. Ben Horton and Mr. James Beaver, veterans living in Calexico.

PROCLAMATION HONORING SIMON SILVA AS A DISTINGUISHED ARTIST.

Mayor Pro Tem Pacheco led the Council in the reading of the Proclamation honoring Simon Silva as a Distinguished Artist.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Gloria Guzman spoke on the overpopulation of cats issue, provided statistics on animal control trapping of cats, suggested TNR, made suggestions on solutions and reiterated the need for support from the community.

James Beaver thanked the Fire and Police Departments and the City Manager for allowing the Health and Safety Fair and providing the property and invited everyone to attend the event on April 28, 2018.

Jesse Garcia, 600 block of Lincoln Street, discussed the need crossed walks for students at Blair Street and Ethel Street, at CK Clarke and Ethel Street and Cesar Chavez Blvd. and Sheridan Avenue, the need for signage at the railroad tracks. Matter was referred to the City Manager who provided information on two future projects on Cesar Chavez that may alleviate the situation. Mr. Garcia also requested a street light at the 700 block of Pierce due to it being dark. City Manager Dale referred Mr. Garcia to Ms. Liliana Falomir for assistance on this matter. Mr. Garcia also reported the road is sinking in the area around the 600 block of Lincoln Avenue, the sprinklers at Rodriguez Park around the tennis courts are, and stated the restrooms at this location are always closed.

Gonzalo Gerardo, Interim Chief of Police, thanked Mr. Dale for attending the national dispatcher's luncheon and advised the dispatchers were very appreciative of his attention.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Hodge commented on the success of the 110th and thanked everyone who helped.

Council Member Real wished Calexico a Happy Birthday.

Council Member Escobar spoke on the IV Trade Seminar hosted by IVEDC. He spoke on the loss a good friend to cancer and asked everyone to make amends with your family members and appreciate life.

Mayor Pro Tem Pacheco thanked Mr. Figueroa for the Cannabis presentation and for the IV Mayor's Summit, which was a well-informed forum.

CITY MANAGER'S REPORT

City Manager Dale commended Miguel Figueroa for the Border Mayor's Summit. City Manager Dale announced the Farmer's Market on the 21st and Heffernan Memorial Healthcare District is sponsoring a "Let's Move Calexico" run, an obstacle course and the Mexican Consulate is sponsoring a bike event. City Manager Dale advised that the design of a sidewalk projects in downtown is being completed and will be coming up for construction in two months. He presented the new streets overlay project funded by Measure D of which one is Grant Street between Cesar Chavez and Highway 111 which will be a major thoroughfare for the opening of the Port-of-Entry in July. He advised the water pipeline on Grant Street is nearing completion and work continues at Cordova Park with the installation of park equipment.

CONSENT AGENDA

Motion was made by Council Member Hodge 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 November 15, 2017, February 21, 2018 and March 7, 2018; Warrants from March 3, 2018 to March 16, 2018 and City Salaries from March 3, 2018 to March 16, 2018; Warrants from March 17, 2018 to March 30, 2018 and City Salaries from March 17, 2018 to March 30, 2018; Adopt Resolution No. 2018-___ of the City Council of the City of Calexico Authorizing the City Manager or His Designee to Endorse the Master Agreement Program Supplement Agreements, Funded Exchange Agreements, Fund Transfer Agreements and any Amendments Entitled "Administering Agency – Federal and/or State Funded Project" for Project No. CML-5168(030) De Las Flores Street Improvements; Adopt Budget Amendment Resolution for Project No. CML-5168(030) De Las Flores Street Improvements; Resolution of the City Council of the City of Calexico Adopting a List of Projects for Fiscal Year 2018-2019 Funded by SB 1: The Road Repair and Accountability Act of 2017; Authorize City Manager to File Notice of Completion for New Variable Frequency Drive at the Water Treatment Plant; Authorize City Manager to Sign Change Order No. 4 with Control System Engineering, Inc., in the Amount of \$2,129.25 for the Water Treatment Plant Emergency Generator Project No. 2017-100. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION ITEMS**APPOINTMENT BY MAYOR HURTADO TO THE CALEXICO PERSONNEL COMMISSION.**

Item was tabled due to Mayor Hurtado's absence.

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 (45 DAYS) AND SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTION OF UPDATED WATER AND WASTEWATER RATES.

Kevin Burnet, Willdan Financial presented a detailed report on the preliminary findings on the water and sewer rates study. He explained the process followed and stated he has worked closely with the City Manager to understand the city's objectives to meet the financial goals and needs of the City. He presented the preliminary financial plans and rates and are looking for feedback to continue the process and send out the Proposition 218 notices process to notify the public of the changes being proposed and conduct a public hearing and the anticipated date for new rates is July 1st. He advised a water revenue increase is being proposed due to increasing operational costs, a land lease to be paid, and capital projects for a water system that is over 100 years old. He explained the water rate impact was spread out as much as possible in an effort to minimize the impact to the customers.

City Manager Dale explained the Proposition 218 45-day process which will give notice of the public hearing proposed for be June 20, 2018.

Council Member Real requested a copy of the last rate study.

City Attorney Campos requested a motion to approve staff recommendation providing for Proposition 218 45-day notice attorney, and authorize the City to prepare the notice for the residents and hold a public hearing after 45 days in which residents would object by being present or submitting an objection. If there is not a majority protect, the City would then adopt the proposed rate increases.

Mayor Pro Tem Pacheco stated the Council would authorize staff to mail written notices to customers and property owners of the proposed water and wastewater rates in compliance with all requirements of Proposition 218 and California State law and schedule a public hearing to consider adoption of the updated water and wastewater rates at a date no less than 45 days after the mailing of the notice on a motion was made by Council Member Hodge, seconded by Council Member Escobar and passed by the following vote to wit:

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

SETTING A PUBLIC HEARING FOR A PROPOSED SOLID WASTE AND RECYCLING RATE ADJUSTMENT AND AUTHORIZATION TO PROCEED WITH PROPOSITION 218 NOTICE (45 DAYS).

City Attorney Campos explained this is an annual item due to the current franchise agreement with Allied Waste and provides for a CPI increase that goes into effect yearly beginning January 1st. He stated the City is under contractual obligation under the franchise agreement to pass the CPI and to provide 45-day notice and staff is before you seeking City Council approval to provide 45-day notice for a public hearing on the CPI rate increase which is 2.7%. He further stated Allied Waste requested a rate increase due to SB1 tax increase and as such is requesting and stated the rate increase is discretionary and not at the level that it would be required to pass it on to the customers so at this point in time, staff is recommending that City Council proceed authorize the Proposition 218 notice with the caveat escalator for a CPI increase for the next five years without the Proposition 218 notice.

Mayor Pro Tem Pacheco stated it was recommended that City Council authorize the City Manager to set a public hearing date for City Council on June 20, 2018 to hear public comments on the annual solid waste and recycling rate Consumer Price Index (CPI) rate adjustment for the next five years, which will be set not less than 45 days after the notice of public hearing is mailed. Motion was made by Council Member Hodge, seconded by Council Member Escobar and passed by the following vote to wit:

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

JUNE 30, 2017 AUDITED FINANCIAL STATEMENTS, FEDERAL SINGLE AUDIT REPORT, TRANSPORTATION DEVELOPMENT FINANCIAL STATEMENTS, AND LETTER OF AUDITOR COMMUNICATIONS.

Mr. Ken Pun provided a detailed presentation to the City Council for the Fiscal Year Ended June 30, 2017, the Basic Financial statements, the Single Audit, TDA Compliance and GANN Limit Compliance. He explained the management responsibilities as well as the auditor's responsibilities on the audit, an Overview of the Financial Statements through the Annual Financial Report and the Independent Auditor Reports - Basic Financial Statements. He presented the audit results and advised they are issuing unmodified opinion for all opinion units due to issues of concerns and there are findings emphasized in their audit report and there is doubt about future operations. He cautioned the City on the deficit on the general fund balance, increasing costs, and change in CalPERS discount rate from 7.5% progressively to 7% that would have major impact on booking liability. He stated they have identified significant deficiency and material weaknesses in the internal control over financial reporting and compliance.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member Escobar to receive and file the Audited Financial Statements, Federal Single Audit Report, Transportation Development Financial Statements, and Letter of Auditor Communications. Motion passed by the following vote to wit:

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

2017-18 3RD QUARTER BUDGET REPORT AND ADOPTION OF RESOLUTION OF THE CITY OF CALEXICO APPROVING A 2017-18 MIDYEAR BUDGET AMENDMENT.

Ms. Susan Mayer presented a detailed 2017-18 3rd Quarter Budget Report and advised the Council the objective for tonight was to receive the 3rd Quarter Report and approve a 2017-18 Mid-Year Budget Amendment Resolution.

Motion was made by Council Member Real to accept the 2017-18 3rd Quarter Budget Report and Adopt Resolution of the City of Calexico Approving a 2017-18 Midyear Budget Amendment. Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

INFORMATIONAL ITEMS

Council acknowledged receipt of Informational Items: ICTC 2017 Short Range Transit Plan Community Outreach Workshops and Calexico Neighborhood House 2018 Annual Board of Directors Meeting and Diaper Drive – April 19, 2018.

FUTURE AGENDA ITEMS

Council Member Hodge requested an item on moving forward with negotiations.

Council Member Real requested an item for the removal of appointee on Police Advisory Commission.

ADJOURNMENT

There being no further business, meeting was adjourned at 9:03 p.m.

Lewis Pacheco, Mayor Pro Tem

ATTEST:

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 2ND DAY OF MAY, 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 Hurtado called the closed session portion of the meeting to order at 5:43 p.m.

ROLL CALL

PRESENT:

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

ABSENT:

Council Member: Armando Real

PUBLIC COMMENTS:

Sean Acuña spoke regarding contract negotiations and advised the Calexico Police Officer’s Association spoken with the City Manager. He state the CPOA has always stepped up to the plate when there has been financial conflict with the City and they are willing to do it again and they are willing to make the necessary concessions to prevent outsourcing.

ADJOURN TO CLOSED SESSION

Council adjourned to closed session at 5:45 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)

Luis Casillas v. City of Calexico (Arbitration)

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Calexico Unified School District v. City of Calexico, et al.
Imperial County Superior Court, Case No. ECM10114

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Leticia Rios v. City of Calexico, et al.,

USDC, Southern District, Case No. 18cv00070-DMS-AGS

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION\

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

One (1) potential case

Council reconvened from closed session at 6:43 p.m.

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

REGULAR SESSION AGENDA - 6:30 PM

CALL TO ORDER

Mayor Pro Tem Pacheco called the meeting to order at 6:52 p.m.

ROLL CALL

PRESENT:

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

PLEDGE OF ALLEGIANCE

Miguel Figueroa led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

City Manager Dale led staff and those present in the Mission Statement Pledge.

INVOCATION.

Pastor Frank Zazueta, Christ Community Church led those present in prayer for the City.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Campos announced the Council met on items on the agenda. Direction was given, no reportable action was taken.

APPROVAL OF THE AGENDA

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

PRESENTATIONS**PROCLAMATION OF POLICE WEEK – MAY 13 TO MAY 19, 2018.**

Mayor Hurtado led the Council in the reading of the Proclamation declaring Police Week from May 13 to May 19, 2018. Proclamation was presented to Interim Chief Gerardo. Interim Chief of Police Gerardo stated he was honored to receive the Proclamation on behalf of the Calexico Police Department and introduced Department Staff present at the meeting.

PRESENTATION ON THE 2018 IMPERIAL COUNTY LOCAL TRANSPORTATION AUTHORITY PROPOSED LTA MEASURE D BOND FINANCING.

Ms. Carmen Vargas, Sr. Vice-President with Ramirez & Company and Don Hunt, Bond and Disclosure Counsel presented the proposed Imperial County Local Transportation Authority Measure D Bond Financing. She presented history on the Measure D Sales Tax for the first 20 years through 2010 with an extension of 10 years. She provided the projects receiving funding from the 2012 bonds in the amount of \$14.1 million. She presented the preliminary analysis on the 2018 LTA Bonds for which the LTA would have a total of up to \$64.7 million of proceeds to distribute and Calexico would receive approximately \$10.5 million with a maximum annual debt service of \$ 1,649,250.00. Bonds closing is scheduled for June 21, 2018.

Council Member Escobar requested an update on the Capital Improvements Plan.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Yolanda Robles, Calexico School Site Council President spoke regarding security at the school and the possible changes with the Calexico Police Department. She spoke about the positive interaction between with the students and the School Resource Officer. She requested support for the Calexico Police Department and stated they would like for it to continue.

Sandra Flores spoke on behalf of the residents of Las Haciendas Subdivision and requested support from the City Council for the repair of the streets within the Las Haciendas Subdivision. Mayor Hurtado advised those present they may speak to City Manager David Dale on this matter.

Benjamin Horton congratulated Javier Gonzalez for the Arbor Day Celebration at Kennedy Gardens. He acknowledged Mr. Garcia regarding the safety in our schools and with the cross-walks. He spoke about the Economic Development/Financial Advisory Commission and other commissions and stated the City Council is responsible for the persons appointed to the commission. He offered to write lesson plans for the commissions because there is a need for training in order for the commissioners to do their job. He addressed the vetting of commissioners being selected for the commissions.

Antonio Tirado read an open letter inviting to have a town hall meeting on behalf of the residents of Calexico to address the circulating rumor that the Calexico Police Department will soon be eliminated and replaced by the County Sheriff's Department. He suggested a meeting be held the following Tuesday at 6 p.m. to discuss the economy of the City.

Benigno Martinez spoke on behalf of the Calexico Police Department. He addressed the possible changes at the Police Department and of difficulties if there are major issues at the high school.

Mr. Peschel spoke on behalf of the Calexico Police Department and their relationships with the students, the school and how they work as emergency management. He stated having local law enforcement officers is paramount for the safety of the city, citizens and schools. He asked that the Calexico Police Department be kept exactly as they are at this time.

Carlos Gonzalez commended the Calexico Police Department and the safety they provide for the students of Calexico. He stated they have always been incredibly responsive and the police officers are true role models, passionate, committed and how this can be seen when they are providing the safety for the students. He commended Interim Chief Gerardo who has been a liaison and instrumental in the communications between the school and the community. He further commended Officer Hernandez and all the Officers for their work with the social media threats recently received and for their incredible work in providing safety to the students.

Cynthia Salgado, Academic Counselor and Assistant Principal at Calexico High School spoke on the safety of the students and residents of Calexico. She spoke in support of the Calexico Police Department and the School Resource Officers and how interrupting the current support provided will negatively affect the community and the youth of Calexico.

Gabrielle Williams, Principal of Calexico High School, spoke about building productive student relationships and expressed support for the work by the Calexico Police Department and the School Resource Officers who play a key role in making the school a more secure. She stated the ongoing collaboration of the Calexico Police Department team and School Resource Officer Hernandez has allowed the Calexico High School team to be productive and they are very appreciative of their work and support of the student community.

Sean Acuña, President of the Calexico Police Officer's Association thanked for the outpour of support from the education community. He spoke about the relationship established with the students and stated the Calexico Police Officer's Association is currently working with the City Manager to prevent the outsourcing of the Calexico Police Department.

Joong Kim addressed the council regarding taking away the police and fire and how the City is raising the water and trash rates. He advised that as a council member he rejected the raising of costs. He stated the City is not spending the bond on the right projects and are spending on Gran Plaza. He spoke about recalling the City Council.

Catalina Acosta addressed the Council on current problems at the De Anza Hotel Senior Citizens Apartments. She advised persons have entered the rooms and stolen the resident's purse. She requested the City's assistance to once again have a night manager and a security guard which

were taken away after the earthquake of 2010. Mr. Miguel Figueroa stated they are looking into this matter and thanked Mrs. Angelina for advising the City of this situation.

Pierre Sowaya, Vice Principal at Calexico High School spoke on behalf of the Calexico Police Department. He addressed the role of the Police Department and the School Resource Officer. He stated they are an integral part of keeping the students and staff safe.

Jack Tapia spoke in favor of Calexico Police Department staying in Calexico. He suggested having NRA members volunteer in the department and on having a City lottery.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Escobar advised he attended the SBDC advisory committee meeting today for consulting services for entrepreneurs and expressed his support for SBDC.

Mayor Pro Tem Pacheco spoke about opening the Calexico School Pool and asked if there is any way to help support the summer needs of the City. City Manager stated he is seeking funding to open the pool. Mayor Pro Tem Pacheco spoke about the tennis court lights being on all night.

Council Member Real thanked everyone for coming to the meeting and he thanked the Police Department and the School District for being present and speaking on the matter of giving safety to the community and the schools. He suggested the Chief and City Manager get together with the school staff regarding grants and come together to help with this issue.

Council Member Hodge thanked City Manager Dale for inviting him to the meeting with the School District and advised the District is willing to work with the City. He stated his support for the School District.

Mayor Hurtado reported she attended the Arbor Day/Health & Safety event this past weekend. She discussed Vice-President Pence's visit to Calexico on Monday and thanked the Calexico Police Department for their work on this visit. She also met with Consul Carlos Flores Vizcarra regarding refugees coming to Tijuana and the importance of keeping the office in Calexico and thanked Mr. Figueroa for his collaboration on this matter. She advised Council Members will be attending the SCAG Conference this week and spoke on the upcoming 27th Mariachi Festival activities to be held from May 16-19, 2018.

CITY MANAGER'S REPORT

City Manager Dale informed the Fire Department was also involved in the visit from Vice-President Pence. He reported the playground project is at completion at Cordova Park, the Port of Entry will be opening southbound lanes in early July and Northbound lanes in September. He reported the Cesar Chavez project has started to advertise and will begin the 6-8 month project construction in July and plan to keep two lanes open. He informed the De Las Flores Project design is being completed between Kloke and Eady and will complete the street just south of Willie Moreno Jr. High School.

Miguel Figueroa, Economic Development Director informed the State Water Resources Control Board will convene one of their board meetings on May 14th in Calexico and this will bring attention to the needs of our projects on the border. Dignitaries attending will tour the project site.

CONSENT AGENDA

Mayor Hurtado pulled Item No. 12 - Reject all Bids Received for Sport Lighting at Joel Reisin Field Project No. 2018-200 for discussion.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member 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 Meetings of March 21, 2018; Warrants from March 31, 2018 to April 13, 2018 and City Salaries from March 31, 2018 to April 13, 2018; Authorize City Manager to File Notice of Completion for Water Treatment Plant Emergency Generator Project No. 2017-100; 11. Adopt (3) Resolutions Approving the Following: 1. TDA Article 8(e) Application, Claim and Resolution for \$17,102.00; 2. TDA Article 8(e) Application, Claim and Resolution for \$25,000.00; 3. TDA Article 3 Application, Claim and Resolution for \$33,486.00.

ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

ITEM NO. 12 - REJECT ALL BIDS RECEIVED FOR SPORT LIGHTING AT JOEL REISIN FIELD PROJECT NO. 2018-200

City Manager Dale advised the City received a grant from the IID for the project and the bids came in over budget. Mr. Dale stated that, at this time, the City does not have the funds for the project however, Mr. Eric Ortega is working on providing free labor.

Motion was made by Mayor Hurtado, seconded by Council Member Real and passed unanimously to approve Rejecting all Bids Received for Sport Lighting at Joel Reisin Field Project No. 2018-200.

DISCUSSION AND POTENTIAL ACTION ITEMS

APPROVAL OF CONSTRUCTION OF RESTROOM FACILITIES BY CALEXICO PARENTS ATHLETIC LEAGUE (CPAL) AT THE RETENTION BASIN/PARK LOCATED AT ANDRADE AVENUE AND FIFTH STREET, A CITY OWNED PROPERTY AND AUTHORIZATION FOR CITY MANAGER TO ENTER INTO A MAINTENANCE AGREEMENT WITH CPAL.

Joong Kim stated he is glad that the council is going to move forward on putting restrooms at the retention basins. He stated they should have a concession stand to support the entity and the children and it is a step to help them take care of their business.

Mr. Ralph Morales stated that in Calexico the retention basins are being used as parks due to the sporting demands and shortage of parks. He stated the retention basins do not have restrooms

facilities and it discourages the residents from going to these parks. He stated CPAL is proposing to construct the restroom facilities at Andrade and 5th Street. CPAL is proposing to construct the building with all supplies being provided through donations. CPAL will be responsible to acquire the donations for materials and labor, they will be required to submit construction plans for review and to acquire a state licensed contractor with a B License to ensure the construction is done properly. He informed there would be an agreement between the City and CPAL to assure the project moves smoothly and to ensure compliance with all state building codes and requirements.

Mayor Pro Tem Pacheco asked if CPAL is registered as a non-profit. He was advised he believed they are not a non-profit. He followed up by asking if this would be a restriction or hold them back. City Attorney Campos stated it would have to be a legal entity, either a private or non-profit or an individual with proper permits.

Mayor Pro Tem Pacheco asked who submitted the paperwork and under whose name. Mr. Morales stated it would have to be a licensed contractor and the City would not issue the permit to CPAL directly. The contractor would be responsible for the construction and make sure the work is done appropriately. Mayor Pro Tem Pacheco stated he wants to make sure everything is on the up and up. Mr. Morales stated this would all be part of the draft agreement prepared and presented to the City Manager for review.

Council Member Real stated this is a multi-sport field and asked if there an agreement stating anyone can use the restrooms facilities. Mr. Morales stated once the construction is complete, the will be responsible to work with the different groups to use the facilities. He further stated the restroom would not belong to one group/entity and would be open up for everyone because the restroom would belong to the City.

Mayor Hurtado spoke about the language and defining the public/private partnership agreement.

City Attorney Campos stated the City wants direction from Council to have a structure on a retention basin that is used as a park.

Council Member Escobar stated the control should be with the City.

Mayor Pro Tem Pacheco asked about the maintenance of the facilities and he was informed the City would provide the maintenance. City Attorney Campos stated the need for direction for staff to put together and formalize all the documentation for the construction.

Motion was made by Council Member Real to approve Item No. 13 contingent upon on formalizing documentation. Motion was seconded by Council Member Hodge and passed unanimously.

APPOINTMENT BY MAYOR HURTADO TO THE CALEXICO PERSONNEL COMMISSION.

Mayor Hurtado appointed Mr. Javier Moreno to the Calexico Personnel Commission.

REMOVAL OF POLICE ADVISORY COMMISSION APPOINTEE BY COUNCIL MEMBER REAL.

Council Member Real removed his appointment to the Police Advisory Commission and requested the position be advertised.

APPOINTMENT OF TWO COUNCIL MEMBERS TO SERVE ON THE CANNABIS INDUSTRY AD-HOC SUB-COMMITTEE.

Miguel Figueroa stated that as the City moves forward, staff wants to make sure the council is receiving appropriate information and therefore suggest an ad-hoc sub-committee as a method of communicating on the matter.

Mayor Hurtado spoke about the need for neutrality in this matter.

On Motion by Mayor Pro Tem Pacheco, seconded by Council Member Real and consensus of the Council, Council Member Hodge and Council Member Escobar were accepted as members of the ad-hoc subcommittee.

INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 2018-____. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO AMENDING SECTION 2.02.110 AND CHAPTER 2.07 OF THE CALEXICO MUNICIPAL CODE REGARDING THE APPOINTMENT PROCESS AND DUTIES OF THE CITY CLERK.

Joong Kim spoke about the City Clerk position and how the City Manager had the power to hire and fire and the clerk had to follow the orders of the City Manager. He stated the council has to secure the right to call a meeting. He suggested the City Clerk go back to being an elected position and this will allow the City Clerk to do the job.

Council Member Real asked if the people would have to gather the signatures to have the City Clerk's position be an elected position once again. City Attorney Campos stated that previous to 2012, the City Clerk position was an elected position. A measure was taken to the voters to make it an appointed position and it was approved by the voters. He advised that if the Council wanted to make it an elected position, a measure would have to go on the ballot for a vote.

Motion was made by Council Member Real to Introduce and Waive First Reading of Ordinance No. 2018-____ - An Ordinance of the City Council of the City of Calexico Amending Section 2.02.110 and Chapter 2.07 of the Calexico Municipal Code Regarding the Appointment Process and Duties of the City Clerk Motion was seconded by Council Member Escobar and passed by the following vote to wit:

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

ADJOURNMENT

There being no further business, meeting was adjourned at 8:25 p.m.

Maritza Hurtado, Mayor

ATTEST

Gabriela T. Garcia, Deputy City Clerk

THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 16TH DAY OF MAY, 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 Pro Tem Pacheco called the meeting to order at 6:35 p.m.

ROLL CALL.

PRESENT:

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

ABSENT:

Mayor: Maritza Hurtado

PLEDGE OF ALLEGIANCE

Clerk led those present in the Pledge of Allegiance.

MISSION STATEMENT PLEDGE

Miguel Figueroa, Assistant City Manager led those present in the Mission Statement Pledge.

INVOCATION BY REVEREND JOSE SOSA, SCH.P., OUR LADY OF GUADALUPE CATHOLIC CHURCH.

Father Sosa, Our Lady of Guadalupe Catholic Church led those present in prayer for the Council and the City.

APPROVAL OF THE AGENDA.

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

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

PRESENTATIONS**PROCLAMATION OF PUBLIC WORKS WEEK – MAY 21-27, 2018.**

Mayor Pro Tem Pacheco led the Council in the reading of the Proclamation declaring Public Works Week from May 21-27, 2018. Proclamation was presented to Ms. Liliana Falomir, Public Works Manager.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Javier Gonzalez spoke about the Health and Safety Fair and thanked the Mayor, the Council, City Manager and Assistant City Manager for their assistance.

Gabrielle Williams, spoke on student safety and reminded the important responsibility to ensure the safety of the community and over 3000 students at Calexico High School. She spoke on the excellent service provided by the SRO and how it has affected the student truancy. She advocated for the continuance of services provided by the Calexico Police Department.

James Beaver reminded the Council on revisiting the ordinance on which the police commission used to be under the city clerk and not under the police department. He spoke about restarting the meetings for the commission. Requested the commission be returned to the City Clerk.

Joong Kim spoke on the financial status of the City and the over expenditures by the City. He requested the City cut the spending and asked the Council to focus on their duties. He asked the Council to save the Police and Fire Department or quit.

Pablo Virgen Jr. stated his support for the Calexico Police Department and opposed another department coming into Calexico.

Sean Acuña, Calexico Police Officer's Association thanked everyone for their show of support. He spoke about the department's establishment in the community and how this benefits the community and increases the quality of life. He stated he wanted to clear the air about working below minimum staff. He stated they are operating at minimum staffing and will be hiring additional police officers starting the new fiscal year.

Alejandro Camarillo, Calexico High School teacher spoke in favor of having the school resource officer on campus. He stated having an SRO on campus sends a message of safety on campus. He stated Calexico Police Department has worked towards school safety and any changes will seriously impact the campus.

CITY COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Council Member Hodge commented on an article regarding Sheriff's Departments and spoke on the distinct responsibilities between the Sheriffs and the Calexico Police Officers and stated they are not able to provide the same services as the Calexico Police Department.

Council Member Real stated public safety is the most important for Calexico and stated his faith that the Council will take care of the people of Calexico. He commended the Police Department and Fire Department for their work. He spoke about the false numbers being talked about in

relation to Gran Plaza. He stated his support to Gran Plaza for their \$70 million investment in Calexico and stated Calexico needs to be pro-business.

Council Member Escobar reported his is attending the IVEDC meeting and the Mariachi Festival for the rest of the week.

Mayor Pro Tem Pacheco reported a trailer attaching to a City/IID light post.

CITY MANAGER'S REPORT

Miguel Figueroa, attended the SCAG Veterans Conference and reported on the strategies used by other cities to address the needs of cities. He stated Calexico has projects waiting to be implemented which are lacking funding and the City is looking for funding and SCAG is a potential funding source. He reported the State Water Regional Board held their regional meeting in Calexico Council Chambers. He reported he met with a citizen who had submitted concerns on street repairs and she was provided the list of streets to be repaired in her neighborhood.

CONSENT AGENDA

Joong Kim on Item No. 3 – spoke on the city clerk's appointments. He spoke about the bad experience with prior city manager to intervene with the city clerk not to post the agenda. He stated issues in which the council had to go to court. He stated this wants to city clerk under council members and this is not to take away from the city manager who has to work with council and the power should not be for the city manager alone.

Joong Kim on Item No. 4 – He stated he is not opposing to write the grant but stated his shame for the City who is asking the County for funding for the City. He stated he hates to see the City of Calexico not collecting funding.

Pablo Virgen on Item No. 4 – Spoke on the effect the Cesar Chavez project and the center medium will have on his business. He asked the council to revisit and revise the plan for Cesar Chavez Blvd. Council Member Escobar referred Mr. Virgen to Mr. Dale and Mr. Figueroa in Economic Development regarding his business. Council Member Real spoke on the effects on local businesses due to decisions made by Caltrans on road improvements.

WARRANTS FROM APRIL 14, 2018 TO APRIL 27, 2018 AND CITY SALARIES FROM APRIL 14, 2018 TO APRIL 27, 2018.

Motion was made by Council Member Real, seconded by Council Member Escobar to approve the Warrants from April 14, 2018 to April 27, 2018 and City Salaries from April 14, 2018 to April 27, 2018. Motion passed by the following vote to wit:

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 1185 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO AMENDING SECTION 2.02.110 OF CHAPTER 2.02 OF THE CALEXICO MUNICIPAL CODE AND CHAPTER 2.07 OF TITLE 2 OF THE CALEXICO MUNICIPAL CODE REGARDING THE APPOINTMENT PROCESS AND DUTIES OF THE CITY CLERK.

Motion by Council Member Escobar to approve the Second Reading and Adoption of Ordinance No. 1185 - An Ordinance of the City Council of the City Of Calexico Amending Section 2.02.110 of Chapter 2.02 of the Calexico Municipal Code and Chapter 2.07 of Title 2 of the Calexico Municipal Code Regarding the Appointment Process and Duties of the City Clerk. Motion was seconded by Council Member Real for discussion.

Council Member Real spoke on the situation discussed by Mr. Kim the actions by prior City Manager and stated that if the Council wants to take it back to the voters, this is how this happens. There could be guidelines for the position and there should be educational or experience requirements.

Pacheco stated the Council can appoint and if it were to happen that council cannot get items on agenda, then this could be revisited and suggested looking at this item and discussing it further and stated he would like the City Clerk be an elected position.

City Attorney Campos advised the clerk position had been an elected position until 2012 when a measure was taken to the voters which made it from an elected to an appointed position. He further stated appointment of the clerk is within the discretion of the council.

Council Member Real motion to continue the item to the next council meeting and have staff talk to the Council. He stated he would like the Clerk to be an elected position with certain guidelines. He asked who had the authority to remove the Clerk. Motion died due to lack of second.

Council Member Escobar questioned the need for an elected position and stated there was no issue. He suggested moving forward and if there is a problem with the City Manager in the future, then it could be changed back to the Council.

Council Member Hodge stated he was voting no on this item on principal and stated the city clerk is an important position and it is more democratic to have an elected clerk.

Council Member Escobar requested clarification from the City Attorney on whether the Council could currently fire the City Clerk. City Attorney stated the Council has the authority to fire the City Clerk.

Mayor Pro Tem Pacheco stated his issue is that the individual has to be working within the City and working with the staff. After discussion on the appointment of the clerk, the City Attorney advised the current code states it is the duty of the City Manager to appoint, remove or demote any of the officers except the City Attorney and City Clerk.

Motion did not carry by the following vote:

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

ADOPT A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO THE IMPERIAL COUNTY COMMUNITY BENEFIT PROGRAM FOR FUNDING OF TRAFFIC CONTROL DURING CESAR CHAVEZ BOULEVARD EXPANSION; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL NECESSARY DOCUMENTS RELATING TO THE SUBMISSION, ACCEPTANCE, AND EXECUTION OF THE GRANT.

Motion was made by Council Member Real, seconded by Council Member Hodge to adopt a Resolution Delegating Authority to the City Manager, or His Designee, to Submit an Application to the Imperial County Community Benefit Program for Funding of Traffic Control During Cesar Chavez Boulevard Expansion; and Authorizing the City Manager, or His Designee, to Execute All Necessary Documents Relating to the Submission, Acceptance, and Execution of the Grant. Motion passed by the following vote to wit:

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

DISCUSSION AND POTENTIAL ACTION ITEMS

BIENNIAL REVIEW OF THE CITY’S CONFLICT OF INTEREST CODE.

Joong Kim spoke on conflict of interest by Council Members and the decisions they vote on.

Miguel Figueroa stated the Political Reform Act requires cities adopt the conflict of interest code. This action will provide direction to City Manager to begin conducting this review and submit by October 1, 2018.

Motion was made by Council Member Hodge, seconded by Council Member Escobar to provide direction to the City Manager to begin the review of the City’s Conflict of Interest Code and file the Biennial Notice. Motion passed by the following vote to wit:

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

PUBLIC HEARING

INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO ZONING TEXT AMENDMENT ORDINANCE

PERTAINING TO ACCESSORY DWELLING UNIT REGULATIONS & ORDINANCE AMENDING SECTION 7.01.900 DEFINITIONS, & CHAPTER 17.03 RESIDENTIAL ZONES.

Motion by Council Member Real to approve the item.

Ralph Morales provided a staff report on the accessory dwelling units put into effect by the Governor. It allows in an R1 zone, a second unit as long as it complies as per the state guidelines.

Mayor Pro Tem Pacheco opened the public hearing 7:50 p.m.

Garry Grettencourt spoke on the abuse by persons with second homes and stated this would deteriorate neighborhoods quickly. He stated he would request a re-assessment of his home value and this would be detrimental to the city. He stated his opposition to the item.

Armando Real stated he personally feels that many people are creating illegal home enclosures and with this the city will be able to allow them, charge a fee and make money. He stated he sees this as telling the community they do not have to do something illegal.

Mayor Pro Tem Pacheco closed the public hearing at 7:55 p.m.

Council Member Real asked if there was a maximum square footage. Mr. Morales advised it can be a 1200 sq. ft. or it cannot exceed 50% of the principal home. He further stated this identifies the ADU as a second kitchen. He informed on the three different types of additions that can be made to the existing structure.

Council Member Real asked if the structure could be a two story structure. Mr. Morales stated there is nothing that says that if you have an existing two-story, you can't add a two-story ADU, however, it is not recommended if you have a single story home. Council and Staff discussed fees for additions such as impact fees and city fees.

Mr. Morales asked the Council Members if they wanted the section on having the property owner live on the property taken out or left as part of the ordinance. Council stated their desire to leave the ordinance as per the State law so the property could be rented and motion was seconded by Council Member Hodge.

City Attorney Campos read the both ordinances by title only as follows: An Ordinance Amending Section 17.01.900, Definitions, and Chapter 17.03, Residential Zones, of the Calexico Municipal Code to Revise the City's Accessory Dwelling Unit Regulations as Required by State Law and An Ordinance Adding/Amending Chapter 17.03 of the Calexico Municipal Code Pertaining to Accessory Dwelling Unit Regulations.

Motion passed by the following vote to wit:

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

FUTURE AGENDA ITEMS

Council Member Real requested an item on the pilot program for closure of Rockwood Avenue and First Street.

Council Member Escobar requested an item on the updating of the employee handbook.

Mayor Pro Tem Pacheco requested an item on any updates on housing and new businesses.

Council Member Hodge requested an item to continue to discuss and find different options for the pool.

ADJOURNMENT

There being no further business, meeting was adjourned at 8:07 p.m.

Lewis Pacheco, Mayor Pro Tem

ATTEST

Gabriela T. Garcia, Deputy City Clerk