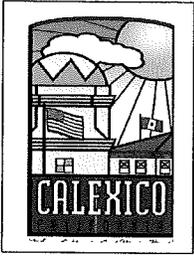


**AGENDA  
ITEM**

**08**



# AGENDA STAFF REPORT

**DATE:** May 2, 2018  
**TO:** Mayor and City Council  
**APPROVED BY:** David B. Dale, City Manager *DD*  
**PREPARED BY:** Gabriela T. Garcia, Deputy City Clerk *GTG*  
**SUBJECT:** Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of March 21, 2018

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**Recommendation:**

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meetings of March 21, 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 March 21, 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 March 21, 2018.

<b>AGENDA ITEM 08</b>
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**THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 21<sup>ST</sup> DAY OF MARCH, 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 agenda to order at 5:40 p.m.

**ROLL CALL**

Mayor: Maritza Hurtado  
Council Member: Bill Hodge  
Council Member: Armando Real

**ABSENT:**

Mayor Pro Tem: Lewis Pacheco  
Council Member: Jesus Eduardo Escobar  
*Mayor Pro Tem Pacheco arrived at 5:41 p.m.*  
*Council Member Escobar arrived at 5:45 p.m.*

**PUBLIC COMMENTS:** No public comments

**ADJOURN TO CLOSED SESSION**

Council adjourned to closed session at 5:42 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 6:56 p.m.

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

**REGULAR SESSION AGENDA - 6:30 PM****CALL TO ORDER**

Mayor Hurtado called the meeting to order at 7:00 p.m.

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE.**

Mr. Eddie Paez led those present in the Pledge of Allegiance.

**MISSION STATEMENT PLEDGE.**

City Manager Dale led the City Council, City Staff and members of the public in the City's Mission Statement Pledge.

**INVOCATION**

Pastor Dennis Freeman - Christ Community Church led those present in prayer for the City.

**CLOSED SESSION ANNOUNCEMENTS.**

City Attorney Carlos Campos reported that Council met in closed session and provided direction and no reportable action was taken.

**APPROVAL OF THE AGENDA.**

Motion was made by Council Member Real, seconded by Mayor Pro Tem Pacheco and passed unanimously to approve the agenda as presented.

**PRESENTATIONS****PROCLAMATION ON DECLARATION OF DOWN SYNDROME DAY – MARCH 21, 2018.**

Mayor Hurtado led the Council in the reading of the Proclamation declaring March 21, 2018 as Down Syndrome Day. Mayor and Council presented the Proclamation to Mr. Eddie Paez on behalf of the community.

Javier Gonzalez thanked the City Council for the Proclamation and spoke about the day's activities. He advised that Mr. Paez was bestowed the title of honorary principal at Aurora High

School. He thanked the Police Department for allowing a ride-along by Mr. Eddie Paez.

**PROCLAMATION HONORING AUTISM AWARENESS MONTH APRIL 2018 & WORLD AUTISM AWARENESS DAY APRIL 2, 2018.**

Mayor Hurtado led the Council in the reading of the Proclamation honoring Autism Awareness Month April 2018 and World Autism Awareness Day on April 2, 2018. Mayor Presented the Proclamation to Ms. Tania Oladez and members of the foundation.

Tania Oladez, representing the Autism Organization thanked the council for the opportunity to spread awareness for Autism and diversity in the community. She advised the awareness is made through the changing of bulbs to blue. Ms. Oladez provided information on the various functions of Auti Foundation and advised their information is on Facebook and at [www.autifundacion.org](http://www.autifundacion.org). Mayor Hurtado presented the Proclamation to Ms. Oladez from Auti Foundation.

**PRESENTATION OF EMPLOYEE OF THE QUARTER AWARD.**

Rosalind Guerrero, Human Resources/Risk Management Manager provided a description of the employee of the quarter program and the attributes of the honoree, Mr. Jose Alvarado. Mr. Alvarado was presented with a certificate of recognition.

Mr. Alvarado thanked everyone who acknowledged his work with a special thank you to Ms. Liliana Falomir.

**PUBLIC COMMENTS AND PUBLIC APPEARANCES**

Chief Reggie Gomez recognized stakeholders in the community who have made possible the various events sponsored by the Calexico Police Department during 2017 and thanked them for their community involvement.

Sergeant Legaspi presented the awards to Chuck Cloud for representing “Santa Clause” at the Kids & Badges Event, Starbucks in Calexico for their support of “Coffee with a Cop”, Reach Air Medical Services, Walmart Calexico, Paul’s Photography, Param Maroke, District Manager for 7-11 Store for the Imperial Valley, McDonald’s Restaurant for their participation in “Kids & Badges Event”, Cuchis for their participation in “Raspado with a Cop”

Ben Horton addressed the council regarding a memo sent out on March 12, 2018 regarding what would be tolerated when talking to the media and stated he felt it could impede freedom of speech. He expressed his support of freedom of speech and the freedom of the press. He further stated he thinks highly of the council and administration and that there could possibly be an understanding on the matter.

James Beaver, Police Commissioner and resident of Calexico spoke regarding the memo sent out regarding commissioners speaking to the media. He expressed his concern over freedom of speech which he stated is a check and balance for the constitution and stated perhaps this memorandum could have been worded differently. He stated he is making this report as a police commissioner.

He also stated there is no direction on a possible conflict of interest matter in the commission. He commented on pending lawsuits against the city.

Javier Gonzalez congratulated the city regarding lighting work completed in the neighborhood and the work for the health and safety fair. He spoke about the neighborhood watch and advised that after years they are closing the program down and requested the City to take down the signs. He thanked the City Manager for his donation and stated the need for commitment from the Council.

David Romero addressed the council regarding the re-inauguration of Food 4-Less. He reported that Food 4-Less made a donation of \$1,000 to Rockwood Elementary, a donation of 36,000 lbs. of food for the Imperial Valley Food Bank and recognized how this store is supporting the community. He thanked Food 4-Less and Goya for their support of the community.

Joong Kim addressed the Council regarding Autism and advised he has an oil and he can donate samples to the Auti representative. He spoke about the single audit being presented to the State and how it will impede the city's ability to apply for grants from the State. He stated there is a cut down in revenues and the city of Calexico has failed to spend the revenue source and the expenditures have stayed the same. He spoke about the blocking out of annexations to the east and that there are no resources to expand the revenues and therefore they are shrinking. He stated the Council is not doing their job to save the city and is only focusing on cutting the safety officers. He asked that the Council save the safety officers.

Gloria Guzman expressed her thoughts on the animal control facility and their ability to deal with stray cats. She stated the need in the city to control cats with Trap, Neuter, Release (TNR). She explained how the TNR process works in the cat population in the community and asked the City to promote it.

Viviane Rodriguez spoke in support of the lives of the animals trapped by animal control and on the path to be euthanized. She spoke about educating the community on Trap, Neuter, Release (TNR), the benefits of TNR and the impact it can have in the community. She expressed her concerns on euthanasia and asked the City for support.

Giselle Nunez spoke in support of TNR and the problem of not neutering the cats in the neighborhoods. She stated the importance of educating on spading and neutering and a possibility of workshops for the public.

Lisa Garrett Keck, President of Too Cute Kitten Rescue spoke about the kittens in the animal control facility and stated her support of TNR.

Kathleen Perez spoke in support the TNR program for cats and kittens. She stated that 7 out of 10 cats that enter the shelters are killed and the solution is TNR because it is the humane thing to do for an innocent animal. She further stated that if TNR is implemented the cat population could be controlled within a year. She spoke about the work being done by persons who feed the cats and stated they would like to raise funds to get these stray cats fixed. She asked the council for help with the TNR program in Calexico.

Phyllis Elijah, President of Southern County's Rescue spoke about rescuing cats and how they are being taken for adoption in Orange County. She provided statistics on the kill rates of animals in shelters and spoke about the benefits of TNR for the community.

Diana Daniels thanked the ladies for coming to Calexico and thanked City Manager Dale for his support of the animal shelter. She expressed her thanks and faith for the contract signed between Calexico Paws and the Humane Society and the account that was set up for donations for the shelter.

Farah Bharambeygui stated her position against the shelter and provided a business idea to cancel natural gas and gasoline.

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

Council Member Escobar wished Mr. Miguel Figueroa a Happy Birthday. He spoke about how in the past the City had 280 employees and now it has 140 employees and now the city is doing the work with half the workforce. He stated the employees work hard and city services are not where they should be. He gave a shout out to the city employees for their work on a day in day out basis.

Mayor Pro Tem Pacheco advised of a meeting with a Chinese delegation who are wanting to come into the City.

Council Member Real commented on the Reach Ambulance who are having issues with another company coming into the valley and they want to let the council know that Calexico has the most Reach Members and there is a possibility they may shut down. He thanked the ladies present for educating him on the cat situation, TNR and farrow cats. He further stated it is extremely important to address the matter, educate the public and hoped this can come to some resolution.

Council Member Hodge reported the success of the binational concert on March 16, 2018. He commended the leadership of Mayor Hurtado and Mr. Miguel Figueroa. He also stated it would have been better to invite all council members to a reception prior to the concert and all council members should have been present with an area for dignitaries. He attended the Food 4-Less re-opening and extended his compliments to Mr. Ben Horton. He spoke on the cat situation and stated he would like to team up and do something effective.

Mayor Hurtado spoke on the work by City Manager Dale and thanked the ladies present for their information. She advised that Mexicali is celebrating their 115th Anniversary and informed on the Fraterno 2018 concert with the Rio Nuevo Orchestra. She thanked all the people who made this event happen and thanked City Manager Dale for his support on this event. She also thanked Miguel Figueroa, Belinda Alvarado, Javier Moreno, Ruben Moreno, Mr. Roacho with Extreme Sound, Jonathon Cortez and the Calexico Mighty Bulldog Marching Band for their participation. She further extended her thanks to Mexicali Mayor Gustavo Sanchez Vasquez, the Casa de la Cultura and Mr. Alfredo Arenas for their support. And lastly she thanked the Border Patrol for their 100% cooperation on the event.

**CITY MANAGER'S REPORT**

City Manager Dale commended Mr. Figueroa and his staff for their work on the binational concert, acknowledged Chief Reggie Gomez, Mr. Ralph Morales from Development Services and Ms. Lily Falomir, Public Works Department. He gave kudos to the Mexicali counterparts for their work on the event.

City Manager Dale stated he will continue to work on the animal shelter and will be providing a link through pay-pal on the city website and said funds will be used only for animal control. He advised public works will be working on the kennels and stated his support for TNR. He addressed the memo sent out regarding speaking to the media and wanted to make it clear that anyone from the public can speak to the media at any time as long as it is not as a city official. He stated that due to misinformation going out to the media, all information must be going out from one source only on behalf of the city and anyone can speak to the media as a private citizen. He reminded commissioners that they are an advisory role to the Council and there is a need for a majority of the commission to agree prior to speaking out and advising the Council and speaking to the media is inappropriate unless it is as a private citizen.

City Manager Dale informed on the waterline project that began on 5<sup>th</sup> Street. He advised that today the CTC approved \$4.5 million dollar project for the Cesar Chavez Blvd. Project and commended Liliana Falomir for her instrumental work on this project. He informed that GSA, as part of the port of entry work, is working on a sewer pump station by California Market, Staff is continuing with design of three baseball fields at Cordova Park, the city started a valve program and the generator project at the Water Treatment Plant and the Emergency VFD are almost complete. He informed the Water rate study is almost complete and should be bringing it to a town hall meeting in about three weeks. He informed that the design of the pump at the New River has begun as part of a \$1.4 million dollar project by the Water Regional Control Board.

Council Member Escobar asked if the ambulance study was included. City Manager Dale advised that is a separate study.

**CONSENT AGENDA**

Council Member Hodge made a motion to approve consent agenda.

Council Member Real pulled Items 4 & 8 for discussion.

Council Member Hodge Amend motion to approve Items 5, 6, 7, 9 & 10 under the consent agenda as follows: 5. Resolution of the City Council of the City of Calexico (City) Pursuant to Public Contracts Code (PCC) Section 20168 Finding the Continued Existence of an Emergency Due to the Need for a New Variable Frequency Drive at the Water Treatment Plant and Authorize Contracting without the need for Bidding Pursuant to PCC Section 22050; 6. Adopt Budget Amendment Resolution (BAR) to Record Unanticipated Revenue from Seizure/Forfeiture Fund #241 and to Appropriate Said Funds for Equipment Repair and Maintenance of the City-Wide Security Surveillance System; 7. Adopt Budget Amendment Resolution (BAR) to Appropriate Funds from Community Services-Community Donations to Animal Control Material and

Supplies; 9. Resolution of the City Council of the City of Calexico Approving the Employment Agreement with David Dale as City Manager of the City of Calexico; 10. Approve and Authorize the City Manager to Sign the Enclosed Airport Land Lease Agreement with Enrique Juarez. Motion was seconded by Mayor Pro Tem Pacheco and passed unanimously.

#### **ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION**

#### **ITEM NO. 4. WARRANTS FROM FEBRUARY 26, 2018 TO MARCH 2, 2018 AND CITY SALARIES & BENEFITS FROM FEBRUARY 17, 2018 TO MARCH 2, 2018.**

Motion was made by Council Member Real to approve the Warrants from February 26, 2018 to March 2, 2018 and City Salaries & Benefits from February 17, 2018 to March 2, 2018. Council voted as follows:

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

#### **ITEM NO. 8. SECOND READING AND ADOPTION OF ORDINANCE NO. 1183 RE-ZONING PROJECT AREAS #1, #2 & #3 FROM R-1, RESIDENTIAL SINGLE FAMILY AND CH COMMERCIAL HIGHWAY, TO RA, RESIDENTIAL APARTMENT, AND APPROVAL OF RESOLUTION ADOPTING OF NEGATIVE DECLARATION; AND RESOLUTION APPROVING GENERAL PLAN AMENDMENT.**

Council Member Real spoke about the restrictions placed on the ordinance by the City which requires people to live in the unit and this differs from what the State approved. He stated the City was asking for extra parking requirements.

*Mayor Hurtado left dais at 8:45 p.m.*

Mr. Ralph Morales stated this item has to do with the rezoning of different areas from an R-1 to R-A restrictions mentioned are on Item No. 16.

Motion was made by Council Member Real, seconded by Council Member Hodge to approve the Second Reading and Adoption of Ordinance No. 1183 Re-zoning Project Areas #1, #2 & #3 from R-1, Residential Single Family and CH Commercial Highway, to RA, Residential Apartment, and Approval of Resolution Adopting of Negative Declaration; and Resolution Approving General Plan Amendment. Motion passed on the following vote to wit:

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

#### **DISCUSSION AND POTENTIAL ACTION ITEMS**

**ITEM NO. 11. ADOPTION OF NEPOTISM AND FRATERNIZATION POLICY.**

Rosalind Guerrero, Human Resources/Risk Management Manager introduced the Nepotism and Fraternization Policy which decreases the likelihood of sexual harassment or gender harassment in the workshop. She advised this was distributed to the associations and department and comments were received and incorporated. She stated this gives us a guide so if two relatives are working in the same department, that one is not reporting to another. She also addressed the issue of married a couples working in the same department and informed that currently all married couples work in different departments. She stated this policy addresses any future problems that may come up.

*Mayor Hurtado returned to the dais at 8:48 p.m.*

Mayor Pro Tem Pacheco asked about the city's right to move a person from a department if they begin dating a person in their department. Ms. Guerrero commented that the City cannot control what anyone does after hours, however, if it will affect their working relationship, then at that time, the city would have to look at the situation and make a determination on the possibility of transferring an employee.

Council Member Real asked if this includes hiring. Ms. Guerrero stated that is a case by case basis. Council Member Real expressed his concern and stated it should be black and white so there is no selective enforcement. He stated the language is greyish and needs to be more stringent.

Ms. Guerrero commented this would be difficult in a small community such as Calexico because people are related by blood or marriage, however, if you have a supervisor that is going to hire a relative that is reporting directly than it would be a problem.

Council Member Real spoke about union staff having bumping rights and how this could affect moving staff and requested clarification.

Mayor Hurtado stated this is a policy and if staff is indicating it is on a case by case basis it is because the issues are vast. She further stated this is a policy that will be affecting city-wide.

Council Member Real stated that handling issues on a case by case basis leaves interpretation to bias.

Carlos Campos, City Attorney stated the policy provides a process and a mechanism.

Mayor Pro Tem Pacheco pointed out the City currently does not have a policy therefore this policy is being introduced.

Carlos Campos, City Attorney stated this would ensure that there is no supervisor who is supervising their husband or wife.

Council Member Real expressed his concern over who would be interpreting the policy.

Council Member Escobar read from Section on Effect of Post-Employment Marriage or Creation of Other "Relative" Status of City Employees as follows: "In lieu of a transfer from one department to another, or in situations where no similar counterpart classification exists to which a spouse or other relative can be transferred, the City may request the voluntary resignation of one of the employees and if one of the employees does not voluntarily resign, the employee with the least employment experience/service with the City in the City of Calexico may be discharged by the City Manager." He stated it is the Department Manager and ultimately the City Manager is who will make the call on the interpretation of the policy.

Mayor Hurtado asked for the employee handbook with this information. Mrs. Guerrero stated there are rules and regulations that were written in 1994 and have not been updated. She advised these rules and regulations do refer to nepotism. Mrs. Guerrero advised that the unions reviewed the policy and offered comments which were incorporated into the policy.

Council Member Hodge made a motion for the Adoption of Nepotism and Fraternization Policy. Motion was seconded by Mayor Pro Tem Pacheco and passed by the following vote to wit:

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

Council Member Real stated he was voting no because of the way the interpretation part of the policy is written.

**AUTHORIZE CITY MANAGER TO SIGN AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN CITY OF CALEXICO AND THE HOLT GROUP, INC. FOR THE PREPARATION OF THE 2018 SERVICE AREA/MUNICIPAL SERVICE PLAN.**

Mr. Miguel Figueroa, Community Economic Development Director stated the importance of this document for the development in the coming years. Requested council consideration for approval the plan.

Justina Arce, Senior Planner with the Holt Group, stated they are grateful for Council considering the Holt Group for the Service Area Plan. She stated the service area plan is not just a compliance document to present to LAFCO and the Holt Group likes to focus on the identification of real financial resources for all of the challenges and services associated. She stated they can provide an interim document that can meet the minimum requirements. Mayor Pro Tem Pacheco commented the four month turn-around was just for LAFCO compliance.

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Pacheco and passed unanimously to Authorize City Manager to Sign an Agreement for Professional Services between City of Calexico and The Holt Group, Inc. for the Preparation of the 2018 Service Area/municipal Service Plan.

**AUTHORIZE INTERIM CITY MANAGER TO SIGN CHANGE ORDER NO. 3 WITH CONTROL SYSTEM ENGINEERING, INC. IN THE AMOUNT OF \$4,985.50 FOR THE WATER TREATMENT PLANT EMERGENCY GENERATOR PROJECT NO. 2017-100.**

Mayor Pro Tem Pacheco asked if this was within budget. City Manager Dale advised this is within the allotted budget. Council Member Real stated he does not like to approve change orders.

Motion by Mayor Pro Tem Pacheco, seconded by Council Member Hodge and passed unanimously to Authorize Interim City Manager to Sign Change Order No. 3 with Control System Engineering, Inc. in the Amount of \$4,985.50 for the Water Treatment Plant Emergency Generator Project No. 2017-100.

**PRESENTATION AND APPROVAL OF FINAL REPORT FOR CALEXICO BICYCLE MASTER PLAN UPDATE.**

Brian Gaze, Project Manager with Chen Ryan presented the Calexico Bicycle Master Plan Update. He stated this document is for compliance with State Laws. The Master Plan ensures consistency with recent regional efforts, considers new design guidance and prepares for unprecedented grant opportunities. He explained that contained in the Master Bicycle Master Plan are existing conditions analysis, list of recommended projects and programs and measures impacts of improvements, existing plans and policies, counts, collisions, modeling, outreach and observations, existing conditions, proposed bicycle networks, New River Parkway Phasing and Funding. He introduced the priority On-Street Projects and presented preliminary costs for the projects. He addressed the New River Phasing and advised that funding is only available for Phase 1B currently and the remaining unfunded estimate is of \$4.4 million. He stated the State receives about 500+ projects statewide and funds projects over \$250,000 to \$7 million dollars and the state requires no local match. He advised that by adopting the plan today the city would be able to apply for projects beginning in May and due in August. He provided recommendations for applying for Statewide ATP in May for design and construction of unfunded segments of New River Parkway, consideration of on-street recommendations for connections to New River Parkway or other neighborhood connections near the port of entry and recommended non-infrastructure programs for Education on safe behaviors such as wrong-way riding, helmet giveaways, and cross agency coordination.

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Pacheco to approve the Final Report for Calexico Bicycle Master Plan Update. Motion passed unanimously.

Motion by Council Member Real to continue the meeting past 9:30 p.m. Motion was seconded by Council Member Hodge and passed unanimously.

**AWARD THE BID PROPOSAL FROM CONTROL SYSTEM ENGINEERING, INC. IN THE AMOUNT OF \$1,103,000.00 AND AUTHORIZE CITY MANAGER TO SIGN CONSTRUCTION AGREEMENT WITH CONTROL SYSTEM ENGINEERING, INC. FOR REPLACEMENT OF FILTER CONTROL AT WATER TREATMENT PLANT PROJECT NO. 2018-300.**

City Manager Dale stated this is a Capital Improvement Project and bid received was within the ascribed budget. Council Member Real asked how many bids were received and he was informed by City Manager Dale there was only one bid for this very specialist work.

Motion was made by Council Member Real to award the Bid Proposal from Control System Engineering, Inc. in the Amount of \$1,103,000.00 and Authorize City Manager to Sign Construction Agreement with Control System Engineering, Inc. for Replacement of Filter Control at Water Treatment Plant Project No. 2018-300. Motion was seconded by Council Member Hodge and passed unanimously.

**PUBLIC HEARING: CONTINUANCE OF PUBLIC HEARING – SECOND READING AND ADOPTION OF ZONING TEXT AMENDMENT - ORDINANCE NO. 1181 – PERTAINING TO ACCESSORY DWELLING UNIT REGULATIONS & ORDINANCE NO. 1182 AMENDING SECTION 17.01.900 DEFINITIONS & CHAPTER 17.03 RESIDENTIAL ZONES.**

Ralph Morales requested to pull Ordinance 1182 and conduct the second reading for Ordinance No. 1181. He informed the State passed a law to allow a second dwelling on an R1 zone. He stated staff is requesting that in order to build a second unit in an R1 zone, the property owner has to live within the premises. He further stated that Assembly Bill 2406 speaks about requiring an owner occupant to dwell within the residence and AB 2299 recommends that the jurisdiction can place this restriction into place. He further stated these bills were put in place during the housing crash.

Council Member Real asked why the City of Calexico is placing these requirements and not allowing the city to grow and bring in more revenues to the city. He questioned why more red tape instead of adopting as stated in State law and as other cities have adopted. Mr. Morales explained the various types of additions could be made to the property. Council Member Real stated he is for more growth in Calexico. Mr. Morales spoke about the many illegal structures and the many complaints that received by code enforcement for these structures.

Mayor Hurtado opened the public hearing 9:40 p.m.

Ben Horton commented about changing approvals by the State and how it will affect the City. He asked if other cities in the Valley have made modifications to the State law and if so, what they were and why they did not make any modifications.

Mayor Hurtado closed public hearing at 9:43 p.m.

Council Member Real commented that any house that has an ADU or granny flat has more value and it brings more revenue to the City.

Council Member Pacheco asked about the limits on parking. Mr. Morales stated the property is better cared for when the property owner resides on the property. He stated parking does come into effect, however, State law states ADU's are allowed. Mr. Morales stated it is a concern when the majority of the units are rentals because it will cause vehicles parking on the street and this is

one of the major complaints received on the matter. He further stated this becomes a problem if there are many additional structures in one block. He stated that El Centro does not have restrictions however, other cities do have restrictions due to homeless and in an effort to assist homeowners with mortgage payments.

Council Member Real commented on having the staff to monitor the restrictions.

Council Member Escobar agreed with the increase of property values and in turn revenues for the city. He stated that this is part of the urban planning concept and any type of development needs to include urban planning concept and aesthetics. He stated Calexico has never focused on the urban planning issue and felt the ADU's were part of the concept.

Mayor Hurtado requested legal counsel direction on needed action on this item. Carlos Campos, City Attorney stated the item could be adopted or council could amend it and if not adopted, the process would have to begin again.

Council Member Real asked if Planning Commission had approved the item. Mr. Morales advised the Council this item went through Planning Commission and it was approved by Planning Commission and Development Review Committee. He advised that Ordinance 1182 will be brought back for second reading.

Motion was made by Council Member Real to continue the item to the next meeting and have City Manager Dale and Miguel Figueroa, Economic Development look into this item. Motion was seconded by Council Member Hodge and passed unanimously.

#### **FUTURE AGENDA ITEMS**

Council Member Escobar requested the employee handbook be updated.

#### **ADJOURNMENT**

There being no further business, meeting was adjourned at 9:55 p.m.

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Maritza Hurtado, Mayor

#### **ATTEST:**

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Gabriela T. Garcia, Deputy City Clerk