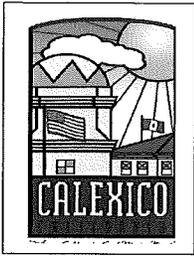


**AGENDA  
ITEM**

**05**



# AGENDA STAFF REPORT

**DATE:** August 1, 2018  
**TO:** Mayor and City Council  
**APPROVED BY:** David B. Dale, City Manager *DD*  
**PREPARED BY:** Gabriela T. Garcia, Deputy City Clerk *GT*  
**SUBJECT:** Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of December 6, 2017

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**Recommendation:**

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of December 6, 2017.

**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 Meeting of December 6, 2017 have been prepared for City Council review and approval.

**Fiscal Impact:**

None.

**Coordinated With:**

None.

**Attachments:**

Minutes for City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of December 6, 2017.



**THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 6<sup>TH</sup> DAY OF DECEMBER, 2017 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**

Mayor Hurtado called the closed session portion of the meeting to order at 5:37 p.m.

**ROLL CALL**

**PRESENT:**

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

**ABSENT:**

Mayor Pro Tem: Lewis Pacheco  
Council Member: Jesus Eduardo Escobar  
*Council Member Escobar arrived at 5:38 p.m.*  
*Mayor Pro Tem Pacheco arrived at 5:45 p.m.*

**PUBLIC COMMENTS** – No public comments made.

**ADJOURN TO CLOSED SESSION**

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

1. Public Employee Appointment  
Title: Interim City Manager and Permanent City Manager
2. Public Employee Performance Evaluation  
Title: City Manager  
(Govt. Code 54957(b))

Council reconvened from closed session at 6:35 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 regular portion of the agenda to order at 6:45 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**

Pledge of Allegiance was led by Vincent Memorial High School - Scotts Team Captain.

**INVOCATION**

Invocation given by Pastor Frank Zazueta, Christ Community Church, Calexico

**CLOSED SESSION ANNOUNCEMENTS**

Carlos Campos, City Attorney announced direction was received on the first item and no reportable action was taken.

**PRESENTATIONS****PRESENTATION OF THE KEY TO THE CITY TO THE VINCENT MEMORIAL HIGH SCHOOL FOOTBALL CIF - DIVISION 5 CHAMPIONS 2017.**

Mayor Hurtado introduced the administrative staff and members of council and welcomed all to the meeting. Council participated in a skit prepared to present the Key to the City to the Vincent Memorial High School Football CIF - Division 5 Champions 2017.

Vincent Coach provided a history of the football which was founded by Jaime Santos and Sister Lilia Barba in 2000. He announced their accomplishments such as reaching 2nd Place at CIF IN 2014. He stated that through the efforts of the team they ranked 1 in CIF for division 5 in 2017, winning the championship and have made it to the finals. He thanked the Calexico Unified School District and the City of Calexico for their support and further stated their honor to represent the Calexico as the Imperial Valley/San Diego Section winners. He thanked the City on behalf of Sister Lupita Hernandez, coaches, players, cheerleader and parents for the great recognition from the City of Calexico.

Alejandro Pozo thanked his team for their work and getting this far. He also requested the Council for a donation of the field across from the school for the team.

Emiliano Cueva thanked the team and the best coaches he's ever had and thanked Sister for all her support. He thanked the coaches for helping form the family that is "The Scots" team.

Council Member Escobar recounted a story from his days at Vincent Memorial relating to the discipline and determination of the team to their current position in the league. He congratulated the team on their accomplishments, expressed his support and wished them luck in next Saturday's game.

Mayor Pro Tem Pacheco congratulated the team for their dedication and their willingness to win. He congratulated the coaches and the team offense and defense and wished them all the luck in their Saturday game.

Council Member Real congratulated the team and coaches for their efforts in winning CIF championships. He also congratulated them for their accomplishments in such a short time of playing football. He spoke about being united with the two high schools in Calexico and about supporting the school with a football field across from the school and offered them his support in this matter.

Council Member Hodge stated he is very proud and it is a great day for all that should be relished. He stated the win has proved that each and every one of the team has character and has done a lot of hard work both on the field and academically because they are winning individuals and can pursue everything. He blessed and thanked the team for their hard work.

Mayor Hurtado spoke about the team's hard work and celebrated their accomplishments.

#### **APPROVAL OF THE AGENDA**

Carlos Campos, City Attorney advised Item No. 16 on the agenda is an item related to a pending claim with the City will be brought to the next meeting under Closed Session, item to be continued.

Council Member Real made a motion to approve the agenda with the continuance of Item No. 16 for the next agenda. Motion was seconded by Council Member Hodge and passed unanimously.

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

Council Member Real gave direction for City Manager Villa to begin a conversation on allowing the team to use the field for next year. Council Member Hodge concurred with Council Member Real.

#### **CITY MANAGER'S REPORT**

City Manager Villa thanked the council for the past couple of years. He stated it has been extremely challenging and professionally rewarding to have the opportunity to work and be part of the city during the transformation. He stated he was grateful for the opportunity to work with the Council and stated the city has the opportunity to be the number one city in the Valley.

#### **PUBLIC COMMENTS AND PUBLIC APPEARANCES**

Rogelio Vargas, Rogar Manufacturing stated they would like to know if Calexico has any parking available for their company to park their vans overnight in order to transport their employees to their plant in El Centro. Mayor directed Mr. Vargas to Mr. Miguel Figueroa, Economic Development Director for assistance and expressed the Council's support.

## CONSENT AGENDA

Council Member Real made a motion to pull Item No. 8 for discussion. Motion was seconded by Council Member Hodge and passed unanimously.

Yolanda Cunningham Spoke on Item No. 6 on behalf of families of Victoria surrounding Cordova Park. She stated her concerns due to the conditions of the park which have caused both hygenic and safety issued at the park. She also addressed the lack of security due to the lack of light posts at the park. She gave a vote of confidence towards the administration that servers are loyal and they will work transparently. Residents from Calexico do not see the resources being allocated within the city.

Ben Horton spoke on Item No. 7 on behalf of American Legion who help the American Veterans looking for a home for their association. He stated they want to revamp the trailer in the park to make it useful for a home for American Legion.

Joe Vindiola spoke representing the American Legion and their need for a meeting place for the association to hold their meetings and assist the military and their families. He requested the City lease the trailer at Nosotros Park to the American Legion #90 for use in their activities.

Miguel Mendoza spoke in support of the American Legion, his years in the service and stated he returned to Calexico after his military career and joined the American Legion. He informed 60% of the income received on a monthly basis is donated to students of Calexico. He further stated he is part of an organization that has helped WWII veterans, Korean War veterans, Vietnam veterans and is now trying to reach out to veterans of Desert Storm, Pakistan, Afganistan and female veterans therefore they need a location to establish and help the veterans.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member Escobar and passed unanimously to approve the consent agenda consisting of Items 4, 5, 6, 7, 9 and 10 as follows: Application for Alcoholic Beverage License for Zarina Ruiz, Antojitos Estilo Mexicali, 741 Cesar Chavez Blvd., Calexico, CA 92231; Warrants from November 6th 2017 to November 19th, 2017 and City Salaries & Benefits from October 28th to November 10th, 2017; Authorize the Acceptance of the California Parks and Recreation Society Grant for the Purchase of New Playground Equipment for Cordova Park and Approve Cooperative Purchase and Installation Through U.S. Communities Government Purchasing Alliance; Approve and Authorize the City Manager to Sign the Enclosed Lease Agreement with Calexico American Legion Post #90; Approval of Budget Amendment Resolution (BAR) Approving the Transfer of Funds from Administration – Professional Services to Planning Division – Professional Services; Adopt Budget Amendment Resolution (BAR) Approving the Transfer of Funds from the Fleet Department to Public Works Facilities – Building Maintenance.

**ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION****ITEM NO. 8 - ACCEPT IMPERIAL IRRIGATION DISTRICT (IID) GRANT FUNDING IN THE AMOUNT OF \$150,000 UNDER THE FINAL 2017 LOCAL ENTITY MITIGATION FUNDING GRANT PROGRAM FOR SPORT LIGHTING AT JOEL REISIN FIELD AND AUTHORIZE CITY MANAGER TO SIGN CONTRACT WITH IID.**

Ira Reisin thanked the council for their support of Joel Reisin Park.

David Dale, Public Works Director stated thanks to the IID and Director Ortega who was instrumental in obtaining the grant for Calexico.

Council Member Real spoke for Morris Reisin and thanked Chuy Iniguez for being instrumental in the continuing improvements to Reisin Field. He thanked everyone who has been involved with this project which will be for all youth.

Motion was made by Council Member Escobar, seconded by Council Member Hodge and passed unanimously to Accept Imperial Irrigation District (IID) Grant Funding in the Amount of \$150,000 under the Final 2017 Local Entity Mitigation Funding Grant Program for Sport Lighting at Joel Reisin Field and Authorize City Manager to Sign Contract with IID.

**DISCUSSION AND POTENTIAL ACTION ITEMS****AUTHORIZE CITY MANAGER TO SIGN A TWO (2) YEAR AGREEMENT BETWEEN THE CITY OF CALEXICO AND ARAMARK UNIFORM SERVICE FOR WORK UNIFORMS, LINENS AND SUPPLIES FOR CITY OF CALEXICO DEPARTMENT AND FACILITIES.**

David Dale, Public Works Director reported Public Works went out for Request for Proposals (RFP's) for uniforms, two proposals were received and reviewed by staff reviewed and it was determined that Aramark was the most responsive proposal.

Council Member Real asked if the bids were close. Public Works Director Dale stated staff negotiated with the proposed winner and the price was reduced. Council Member Real asked if this item has to go out for bid again since the price was reduced. City Attorney Campos stated he reviewed the item and stated the bid documents allowed the flexibility to make modifications. He stated it is not one where by law it has to be given to the lowest responsible bidder, it is one where you can look at other items.

City Attorney Campos informed that Also only submitted three of the nine responsive documents to the RFP whereas Aramark submitted eight of documents and responded more completely. He further stated that the way the project was bid, the city could negotiate for a lower price and because by State law, the city is not bound to the lowest responsible bidder since they did not respond as completely.

Motion was made by Council Member Hodge, seconded by Mayor Pro Tem Pacheco and passed unanimously to authorize city manager to sign a two (2) year agreement between the City of Calexico and Aramark Uniform Service.

**AUTHORIZE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE NOTICE OF COMPLETION FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS AND LA JOLLA PALMS SUBDIVISION PROJECT NO. 2017-400.**

Blanca Castellanos thanked the council for the improvements at Hearthstone and notified that there are still two missing lights at La Jolla Blvd. and Spud Moreno. Public Works Director Dale advised staff is working on them and it is a separate item.

City Manager Villa stated he met with the sub-committee, he informed a lot of the issues raised were met and decided to complete the meetings.

Public Works Director Dale informed that this item is for overlay and not lighting.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member Hodge and passed unanimously to authorize Public Works Director/City Engineer to File Notice of Completion for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets and La Jolla Palms Subdivision Project No. 2017-400.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO PURSUANT TO PUBLIC CONTRACTS CODE (PCC) SECTION 20168 FINDING THAT AN EMERGENCY EXISTS DUE TO THE NEED FOR A NEW VARIABLE FREQUENCY DRIVE AT THE WATER TREATMENT PLANT AND AUTHORIZE CONTRACTING WITHOUT THE NEED FOR BINDING PURSUANT TO PCC SECTION 22050.**

Motion was made by Council Member Hodge, seconded by Mayor Pacheco and passed unanimously to approve the Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 20168 Finding that an Emergency Exists Due to the Need for a New Variable Frequency Drive at the Water Treatment Plant and Authorize Contracting without the need for Binding Pursuant to PCC Section 22050.

**ADD AN ACCOUNTANT JOB CLASSIFICATION FOR THE FINANCE DEPARTMENT IN THE ADOPTED FY 2017/18 BUDGET AND APPROVE THE HIRING OF A PERMANENT FULL TIME ACCOUNTANT.**

City Manager Villa requested council to consider adding the position to the budget and advised an administrative position was being eliminated due staff person leaving to another department. He stated the department is being resized and it was decided, based on needs, it would be better fit to hire an accountant as opposed to backfill the position. He stated the request is to amend budget and the position allocation table in order to recruit. He advised this would probably take place within the next two months as the recruitment process still has to happen.

Mayor Hurtado stated it would make sense to hire once the top position is in place.

Council Member Escobar stated the need to hire a permanent Finance Director prior to hiring an accountant and requested input from City Manager on why the vote should take place to hire an accountant. City Manager Villa stated the requested is to allow the amendment to the position allocation to table to be able to recruit for about two months and since the Finance Director position recruitment is already underway, said director would most likely be on board and be able to select the accountant.

Council Member Real stated he did not support another position because once the Finance Director is hired, the Acting Finance Director would return to said position and at that time, the new Finance Director could assess if an accountant position is needed. He felt that by voting on the item, Council is making a decision that the position is needed and the new director may assess otherwise.

Council Member Escobar stated he agreed with Council Member Real and suggested tabling for 30 days until the 2<sup>nd</sup> meeting in January or until the hiring the Finance Director.

Motion was made by Council Member Escobar to continue this item to the second meeting of January 2018.

Mayor Pro Tem Pacheco asked if there was a vacancy for the position. City Manager Villa stated there had been two accountant positions but were eliminated due to budgetary issues and there is a vacancy as an administrator position. He stated staff is proposing to eliminate said position and that the new position be an accountant position with a salary range maximum of \$56,000 which is offset by the elimination of the administrator position. He stated the need for accounting professionals to be able to pay bills and balance the books.

Motion was seconded by Council Member Real. Motion passed by the following vote to wit:

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

**DISCUSSION REGARDING AMENDING THE CITY OF CALEXICO'S MUNICIPAL CODE TO ALLOW FOR ADDITIONAL CANNABIS SERVICES WITHIN THE CITY OF CALEXICO AS REQUESTED BY COUNCIL MEMBER REAL AND COUNCIL MEMBER HODGE.**

Jim Sprouse, Cannabis Tax and Accounting Services specializing the cannabis industry. Mr. Sprouse requested Council to take the time to look at the information package being provided. He provided detailed information on cannabis industry, taxation, virtual delivery and challenges faced by patients in the Imperial Valley who are obtaining products from the black market. He addressed the risk vs. reward for the city for the sale through dispensary deliveries.

Ben Horton questioned the percentage and how the city is going to control the sale of the product. He asked if the City was receiving any revenues from the current sales in Calexico. He stated that if people want to have a business in the city of Calexico they should have a business license so the city will benefit.

Council Member Escobar returned to the dais at 8:31 p.m.

Marcy Morales, Vice-President and co-founder of Hashtash Incorporated operating in Imperial County addressed council regarding their interest in establishing a business in a city in the Valley. She stated the amendment would be a great benefit to Calexico with the sales tax and the patients themselves. She stated she would be willing to sit with council members and provide additional information and look forward to the city's decision.

Council Member Real stated this item was brought to the city of Calexico by himself and Council Member Hodge due to the city ordinance for cultivation, testing, transportation, distribution of cannabis for sale outside the city limits. He commented that at the time, the city was not interested or looking at the delivery and dispensary model. He informed the County of Imperial has allowed the cultivation, distribution transportation and manufacturing plus an open door dispensary and a number of virtual delivery stores. He addressed Proposition 64 which allows legal recreational use and asked council start looking and discussing what it will do when the County and other cities start delivering into the City of Calexico, making thousands of dollars and the Calexico is not receiving the tax money from these deliveries.

Council Member stated his support for economic growth and the amount of money estimated to be made which could do a lot for the city and the employees. He stated he believed in the medical benefits of cannabis. He commented on the economics and how it could have a multiplying effect for the city. He stated his support and he is open to public input in a democratic way, if necessary.

Mayor Pro Tem Pacheco stated he did not think the city is ready for a dispensary or delivery and he did not support this because he did not think the citizens want that.

Council Member Escobar stated the city was bold in approving the cultivation and it will see the benefits from a revenue standpoint. He stated the need and suggested to look at this item next year once there are operations from a wholesale distribution standpoint and the city can obtain community input. He stated that from a revenue standpoint and once the community has its input, he could support this matter however, he could not support this matter at this time.

Mayor Hurtado stated the need to respect the process and commented on other cities who have had up to eight community meetings on the matter. She stated the City of Calexico does not have to abide by any California regulations if it does not want that project for the city. She further stated that cities do have the ability to say no to these types of projects however, it is important for the city to listen to the community's opinion.

Council Member Real asked City Attorney Campos if council should put a moratorium in place to stop everyone from delivering in the city if the council is not going to allow the delivery aspect.

City Attorney Campos stated the ordinance would prohibit any sort of cannabis use unless the city allows it. He further stated the city initially prohibited any sort of cannabis use and then amended to allow cultivation and related manufacturing and distribution. It is currently prohibited and if the city wanted to allow delivery, it would have to amend the ordinance. Council Member Real asked if it would be illegal for anyone to deliver within the city and could someone be arrested for delivery. City Attorney Campos responded that in order to allow delivery within the jurisdiction, it would have to be allowed within the city and it would be illegal if anyone delivers or has retail within the city and it would be an enforcement issue.

Council Member Real asked if the Calexico Police Department can enforce it. City Attorney Campos stated it would be like an illegal business and it can be enforced by the Police Department or Code Enforcement.

### **FUTURE AGENDA ITEMS**

Mayor Hurtado presented a plaque in appreciation to City Manager Armando G. Villa for leadership of City of Calexico from June 2016 to December 2017.

Mr. Villa thanked the Council for giving him the opportunity to be part of the solution for the City of Calexico.

### **ADJOURNMENT**

There being no further business, meeting was adjourned at 8:52 p.m.

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Maritza Hurtado, Mayor

ATTEST:

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Gabriela T. Garcia, Deputy City Clerk