

**AGENDA
ITEM
5**



AGENDA STAFF REPORT

DATE: September 20, 2017
TO: Mayor and City Council
APPROVED BY: Armando G. Villa, City Manager *Armando G. Villa*
PREPARED BY: Gabriela T. Garcia, Deputy City Clerk *Gabriela T. Garcia*
SUBJECT: Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of September 6, 2017

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Recommendation:

Approval of City Council/Calexico Community Redevelopment Agency Successor Agency/Calexico Financing Authority Minutes for Meeting of September 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 September 6, 2017 have been prepared for City Council review and approval.

Fiscal Impact:

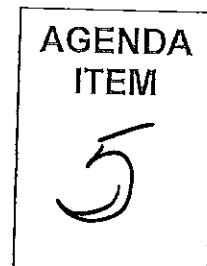
None.

Coordinated With:

None.

Attachments:

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



THE CITY COUNCIL/CALEXICO COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY/CALEXICO FINANCING AUTHORITY MET IN REGULAR SESSION ON THE 6TH DAY OF SEPTEMBER, 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.

CLOSED SESSION

CALL TO ORDER

Mayor Hurtado called the meeting to order at 5:40 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

PUBLIC COMMENTS

No public comments.

ADJOURN TO CLOSED SESSION

Council convened in closed session at 5:44 p.m. to discuss the following:

1. CONFERENCE WITH LABOR NEGOTIATORS

Agency Representatives: Armando Villa, City Manager, Carlos Campos, City Attorney
Employee Organizations: Certified Operators Association/SEIU Local 221 (Govt. Code Section 54957.6).

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN: 058-010-051 and 058-010-010
Agency Negotiators: Armando G. Villa, City Manager, Carlos Campos, City Attorney
Negotiating Party: Linda Barrientos
Under Negotiation: Price and Terms of Purchase
Govt. Code Section 54956.8

Council reconvened from closed session at 6:29 p.m.

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

REGULAR SESSION AGENDA - 6:30 P.M.

CALL TO ORDER

Mayor Hurtado called the meeting to order at 6:38 p.m.

PLEDGE OF ALLEGIANCE:

Miguel Figueroa, Economic Development Director led those present in the Pledge of Allegiance.

INVOCATION:

Pastor Arturo Herrera, "Rey De Reyes Church" Calexico led those present in prayer.

APPROVAL OF AGENDA

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

CLOSED SESSION ANNOUNCEMENTS:

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

PRESENTATIONS

**PRESENTATION BY CALEXICO NEIGHBORHOOD HOUSE ON THE COTTAGE
FOOD PROGRAM.**

Ms. Denise Velasquez presented the Calexico Neighborhood House Cottage Food Program which provides assistance by paying all requirements towards the business license for those persons who want to begin home based business. Ms. Velasquez provided a detailed description of the program and the assistance provided to the public.

Ms. Arely Faile – Healthy Bakery presented her product and stated the Cottage Food Program assisted her greatly in moving forward with her business.

PUBLIC COMMENTS AND PUBLIC APPEARANCES

Ben Horton announced the Church of Jesus Church of Latter Day Saints will be offering two twelve week courses on business finance to look at the economic well-being of the City which involves the family and the businesses.

Jessie Garcia, 600 Lincoln addressed the need for lighting at Rodriguez Park and the need to repair the restrooms, sprinklers at the tennis courts and put out trash cans. He stated there is also a need for handicap access for children on wheel chairs. Mr. Garcia requested street lighting at the 500 block of Pierce Avenue.

James Beaver addressed items of discussion regarding the Calexico Police Advisory Police Commission.

Mayor Hurtado introduced Mr. Miguel Figueroa, new Economic Development Director. Mr. Miguel Figueroa thanked the City Council, City Manager for the opportunity and pleasure to be back to Calexico and assist the community. He stated the Council has made it very clear the specific items of focus to begin with and this is the agenda he will follow. He stated it is an honor to work with staff and is working under the safe philosophy of the Council with the direction of the City Manager.

Mayor Hurtado spoke about September being Mexican Independence month and there will be events on September 22, 2017, Chamber of Commerce will have a tacos and tequila draw down at the Durazo Cultural Arts Center on Thursday, September 14, 2017 and there will be a meeting on 19th of September there will be a meeting to empower women.

CONSENT AGENDA

Motion was made by Council Member Escobar, seconded by Council Member Real 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 May 24, 2017, July 19, 2017, August 4, 2017; Warrants from July 8th to August 16th, 2017 and City Salaries & Benefits from July 8th to July 21st, 2017 and City Salaries & Benefits from July 22nd to August 4th, 2017; Warrants from August 17th to August 25th, 2017 and City Salaries & Benefits from August 5th to August 18th, 2017; Resolution of the City Council of the City of Calexico Authorizing the City Manager and City Clerk to Execute Quitclaim Deed(s) and Certificates of Acceptance to the State of California, Department of Transportation; Resolution of the City Council of the City of Calexico Authorizing the City Mayor and City Clerk to Execute a Grant of Easement(s) to the Imperial Irrigation District (IID) and Certificates of Acceptance for Assessor Parcel No. 058-400-007 and 058-400-060; Approve Cooperative Agreement between the County of Imperial Cal/WORKS and the City of Calexico for the period of August 6, 2017 through August 6, 2019.

DISCUSSION AND POTENTIAL ACTION ITEMS

AUTHORIZE CITY MANAGER TO TERMINATE CONSTRUCTION AGREEMENT BETWEEN THE CITY OF CALEXICO AND CORA CONSTRUCTORS, INC. IN THE AMOUNT OF \$287,000.00 FOR THE WASTEWATER TREATMENT PLANT HOT WATER BOILER SYSTEM PROJECT NO. 2017-200 AND AUTHORIZE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO MAKE NECESSARY CHANGES TO THE SPECIFICATIONS AND RE-ADVERTISE FOR BID.

David Dale, Public Works Director/City Engineer provided background on the project and explained the project will have to be re-bid to include additional equipment needed.

Council Member Real asked if there is a cost to terminate the contract and if any money was owed to Cora Construction. Mr. Dale advised Cora Constructors is requesting \$15,000 for the time spent on the project. He explained the project will be re-bid for a new boiler. Motion made by Council Member Real, seconded by Council Member Hodge to authorize the City Manager to Terminate

Construction Agreement between the City of Calexico and Cora Constructors, Inc. in the Amount of \$287,000.00 for the Wastewater Treatment Plant Hot Water Boiler System Project No. 2017-200 and Authorize Public Works Director/City Engineer to Make Necessary Changes to the Specifications and Re-Advertise for Bid. Motion passed unanimously.

INTRODUCE AND WAIVE FULL READING OF ORDINANCE AMENDING TITLE 13 OF THE CALEXICO MUNICIPAL CODE BY ADDING CHAPTER 13.50 RELATING TO URBAN STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROL.

David Dale, Public Works Director/City Engineer advised this is a requirement formality for the City required by the State of California. Mayor Hurtado read the Ordinance title only. Motion was made by Council Member Real to introduce and waive full reading of Ordinance Amending Title 13 of the Calexico Municipal Code by Adding Chapter 13.50 Relating to Urban Storm Water Quality Management and Discharge Control. Motion was seconded by Council Member Escobar and passed unanimously.

REQUEST CITY COUNCIL APPROVAL OF THE RECOMMENDED JOB CLASSIFICATIONS AND INCLUDE IN THE ADOPTED FY 2017-2018 POSITION ALLOCATION LIST.

David Dale, Public Works Director/City Engineer stated A Sanitary Survey of the City of Calexico water system was conducted on December 20 and 27, 2016 by the State Water Resources Control Board and in the Sanitary Survey report dated June 5, 2017, it is required that the City create a valve exercising program and have a D-3 Shift Operator on staff. To comply with these requirements, (2) new "Distribution Operator I" (1) new "Distribution Operator II" and (1) new "Distribution Operator III" are required. These are new positions, since the City has only a description for Distribution Operator. The Distribution Operator I, II and III require Distribution Operator licenses (D-1, D-2 and D-3) in the State of California. He further stated that he is reviewing department staffing and positions to identify ways in which the department may be reorganized to improve efficiencies. Mr. Dale explained the evaluation identified salaries and benefits that can be distributed amongst General Fund and Enterprise Funds. City Manager Villa stated they were careful with the change.

Council Member Escobar commented on the positions and Council Member Hodge commended the staff and stated it was long overdue.

Motion was made by Council Member Real to approve the recommended job classifications and include in the adopted FY 2017-2018 Position Allocation List. Motion was seconded by Council Member Escobar and passed unanimously.

AUTHORIZE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO SIGN CHANGE ORDER NO. 1 WITH AGGREGATE PRODUCTS, INC. IN THE AMOUNT OF \$54,672.00 FOR STREET IMPROVEMENT PROJECT ASPHALT RUBBER COMPOSITE LAYER OVERLAY ON DESIGNATED STREETS AND LA JOLLA PALMS SUBDIVISION PROJECT NO. 2017-400.

David Dale, Public Works Director/City Engineer advised it was noticed there is a lot more traffic on Campillo and Imperial Avenue due to the opening of Cardenas. He stated the situation was reviewed by the Project Review Committee (PRC) due to the safety issue and it was decided there was a need for signage and stripping on Campillo and it was an urgent issue due to safety for the area.

Council Member Real commented on the safety of the wall along Campillo and asked if the wall could be removed. Mr. Dale advised moving the wall to the east was discussed in PRC so that there is line of sight for traffic.

Motion was made by Council Member Real to Authorize Public Works Director/City Engineer to Sign Change Order No. 1 with Aggregate Products, Inc. in the amount of \$54,672.00 for Street Improvement Project Asphalt Rubber Composite Layer Overlay on Designated Streets and La Jolla Palms Subdivision Project No. 2017-400. Motion was seconded by Council Member Hodge and passed unanimously.

AUTHORIZE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO PURCHASE FIVE (5) YEARS OF ANNUAL REGIONAL NETWORK INTERFACE (RNI) SOFTWARE AND SENSUS ANALYTICS FROM AQUA METRIC FOR THE AUTOMATED METER READING SYSTEM PROJECT.

Council Member Escobar left the Chambers at 7:21 p.m.

David Dale, Public Works Director/City Engineer discussed the functions of the software with regards to the individual meter. He advised the individual person could check the meter and the software can detect water leaks and problems with the meters.

Council Member Escobar returned to Chambers at 7:24 p.m.

Armando Real questioned the process and whether all the meters are working correctly. David Dale, Public Works Director/City Engineer stated the meters are working 95% for the most part and staff is working on the 5%.

Mayor Hurtado stated she wants to be reassured that it is a quality system that is working fine.

Motion was made by Mayor Pro Tem Pacheco, seconded by Council Member Hodge and passed unanimously to authorize the Public Works Director/City Engineer to Purchase Five (5) Years of Annual Regional Network Interface (RNI) Software and Sensus Analytics from Aqua Metric for the Automated Meter Reading System Project.

AUTHORIZE CITY MANAGER TO SIGN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CALEXICO AND DYNAMIC CONSULTING ENGINEERS FOR 5TH STREET WATER PIPELINE DESIGN.

David Dale, Public Works Director/City Engineer stated the City is moving forward with the Cesar Chavez Blvd. Project. He explained the project is a water line that crosses Cesar Chavez which needs to be finished before the Cesar Chavez Blvd. project begins.

Motion was made by Council Member Real, seconded by Council Member Escobar and passed unanimously to authorize the City Manager to Sign Agreement for Professional Services between the City of Calexico and Dynamic Consulting Engineers for 5th Street Water Pipeline Design.

AUTHORIZE CITY MANAGER TO ENTER INTO A FIVE-YEAR AGREEMENT WITH PM AM FOR FALSE ALARM BILLING AND TRACKING SERVICE.

Lt. Gerardo addressed billing on false alarms and explained the proposed service will track, bill and educate the customers. The training of customers is in both English and Spanish.

Council Member Real asked if this was sent out for proposals and how many responded. He was informed the RFP process was followed and two companies responded.

Motion was made by Council Member Escobar, seconded by Mayor Pro Tem Pacheco to authorize the City Manager to enter into a five-year agreement with PM AM for False Alarm Billing and Tracking Service. Motion passed by the following vote to wit:

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

APPROVAL FOR THE CALEXICO POLICE DEPARTMENT TO USE CALIFORNIA 911 FUNDS TO REPLACE 911 TELEPHONE SYSTEM.

Lt. Gerardo explained that every five years the 911 taxes go to the state. This year the State of California 911 provided an allotment of money for 911 calls and the City was allotted \$218,000. The State has approved the soul source contract with AT&T which was approved by the State of California statewide. He requested approval to move forward with the project for \$ 140,000 and advised the expense is billed directly to the State of California. He advised the City does not receive money, the City receives equipment and once AT&T installs, the City approves the project installation and it is billed directly to the state.

Motion was made by Council Member Real, seconded by Council Member Hodge and passed unanimously to approve the Calexico Police Department to Use California 911 Funds to Replace 911 Telephone System.

Council took a break at 7:45 p.m.

Council returned from break at 7:58 p.m.

ZEFE ZALSEDO - BUSINESS LICENSE LATE FEE WAIVER REQUEST.

City Manager Villa provided a brief explanation on the request made by Mr. Zalsedo for Council to review his billing account due to his claim that there was a mistake on the address the billings were being sent to the wrong unit number. Per Code, a payment of the business license is required by end of month in January. There is a penalty thereafter up to five months up to 50% of the amount and he has accrued one or two years of late fees and is requesting consideration of a waiver of the late fees only due to the billing statements were being sent to the wrong address.

Zefe Zalsedo – Zalsedo’s Pet Grooming addressed the problem he is having with fees and stated he never received his invoice. He stated he is aware he has to pay and he came in January to make his payment and when he moved the address taken incorrectly. He attempted to correct it and this did not happen. He came in to make the payment and was asked to wait for the invoice which he did not receive. I was directed to speak with Eduardo and after waiting for over an hour, he was advised Mr. Eduardo had nothing to say to him. He was told he had to pay his bill without explanation. He was finally assisted by Mr. David Dale who did try to help and explain the fees.

City Manager Villa stated that for the sake of remedying the situation, there was an error in the address and Mr. Zalsedo has a pretty good argument. The code requires the charging of the late fees and the lack of communications between the business owner and our office has to do with the adding of late fees. He stated it would be reasonable to look at the late fees since it was an honest mistake on our system.

Carlos Campos stated the need for findings for justification on a waiver of fees for gift of public funds. This is why there has to be a justification if the Council would do so.

Council Member Real expressed his concern on opening up the flood gates to other persons coming in requesting the same.

Council Member Hodge stated this can be taken on a case by case due to the lack of communication and we need to be open to business.

Motion made by Council Member Real to remove the late fees. Motion seconded by Council Member Hodge.

Mayor Hurtado cautioned on the approval based on the error on the address and setting the burden on the municipality of having the correct address rather than the business owner. She further stated the City would be setting a precedent that it is the municipality’s responsibility to have the correct address.

Council Member Escobar stated it was a waiver of late fees and not the actual business license fee. City Manager Villa stated it is not a waiver it would be an elimination of the late fees due to the error.

Council Member Pacheco expressed his concern over the customer not getting assistance or information. He stated the need to improve customer service when customers come to city hall.

Jason Jung Calexico is the only city have to renew in January, other cities renew their licenses in the month they opened. He commended David Dale for his assistance with the customer.

Motion passed by the following vote to wit:

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

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

City Attorney Campos advised the Board that Mr. Richard Romero, applicant, is ineligible for the board because he serves on the School Board and as per Municipal Code. 2.19.030 A which states to be eligible for, and to hold appointment, each appointee shall neither hold public office, or city employment.

Therefore, by being an appointee, Mr. Romero is ineligible for a City Commission.

Council Member Pacheco nominated Mr. Juan Villarreal. Nomination was seconded by Council Member Hodge.

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

Mayor Hurtado nominated Margaret Sauza. Nomination was seconded by Pacheco.

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

APPOINTMENT BY COUNCIL MEMBER ARMANDO REAL TO THE BUSINESS IMPROVEMENT DISTRICT.

No appointment made.

Council provided direction to City Manager to move forward with commission meetings, especially the BID, with only four members.

Council Member Escobar requested an update on the cameras, the new port of entry and entertain Caltrans to come in with updates on Highway 98 and Cesar Chavez Blvd. Project. He also congratulated Mr. Figueroa and Mr. Dale for coming on board and welcomed them to Calexico. Gave kudos to Mr. Pastor Zazueta for the painting of school mascots at Mains School Elementary. He also thanked staff for the street sweeper than went by his home.

Council Member Real congratulated the two new staff members, Mr. Figueroa and Mr. Dale for coming on board.

ADJOURNMENT

There being no further business, motion was made by Council Member Real, seconded by Mayor Hurtado to adjourn the meeting at 8:30 p.m.

Maritza Hurtado, Mayor

ATTEST

Gabriela T. Garcia, Deputy City Clerk