

City Hall
 City of Calipatria
 September 28, 2010
 6 PM

PLEASE TURN OFF ALL ELECTRONIC DEVICES

REGULAR MEETING OF THE CITY COUNCIL
 OF THE CITY OF CALIPATRIA

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL: Mayor Peter Fuentes, Mayor Pro Tem Raul Navarro, Brian Smith, Fred R. Beltran, Trevor Green

PRESENT:

ABSENT:

ALSO PRESENT:

MAYOR'S MESSAGE/PUBLIC COMMENT

At this time the Council will hear comments on any agenda item and on any item not on this agenda. Personal attacks on individuals, slanderous comments or comments that may invade an individual's privacy are prohibited. If you wish to be heard, please stand and address yourself to the Mayor, we request that you limit your remarks to no more than three (3) minutes.

MOTION TO OPEN PUBLIC HEARING: SECOND: VOTE:

1) This public hearing is being held to discuss the revisions to the city's Community Development Block Grant (CDBG) Program Income Reuse Plan.

MOTION TO CLOSE PUBLIC HEARING: SECOND: VOTE:

INFORMATION REPORTS

Fire Report

Police Report

CDBG-ED Microenterprise Façade Improvement Loan Program; monthly report

Disadvantage Business Enterprise (DBE) Report (The Holt Group)

CONSENT AGENDA

1. Warrants
2. Minutes- Aug. 24th

NEW BUSINESS

MOTION: SECOND: VOTE:

RESOLUTION 10-52 R. Medina; City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA
AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT
DEVELOPMENT AGREEMENT BETWEEN

City of Calipatria

125 North Park Avenue

Calipatria, CA 92233

AND

Johnson Controls, Inc.

12393 Slauson Avenue

Whittier, CA 90606

WHEREAS, the Project Development Agreement (PDA) is to confirm the intent of City of Calipatria and Johnson Controls, Inc. (JCI) to develop a Renewable Energy and Energy Savings Performance Contract (ESPC); *and*

WHEREAS, this Agreement will provide the basis of the scope of the PDA, the obligations of both parties, the technical and financial requirements to be met and the intended outcome and timeline; *and*

WHEREAS, If JCI meets or exceeds the stipulated requirements in Sections 1- Scope of Work and Section 2 – Financial Goals and City of Calipatria fails to enter into the ESPC for any reason, City of Calipatria shall compensate JCI in the amount of \$45,000 within sixty (60) days after the delivery of the documentation described within Sections 1- Scope of Work and Section 2 – Financial Goals of the Agreement; *and*

THEREFORE BE IT RESOLVED, the City of Calipatria City Council authorize the City Manager to enter into a Project Development Agreement with Johnson Controls, Inc., not to exceed \$ 45,000.00 if the City decides not to accept the project developed;

MOTION: SECOND: VOTE:

RESOLUTION 10-53 R. Medina; City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA
APPROVING THE COMMITMENT OF THE FUTURE ADOPTION OF AN
AMERICAN DISABILITIES ACT (ADA) COMPLAINT PROCEDURE,
COMPLETING A CITYWIDE SELF-EVALUATION, COMPLETING A
TRANSITION PLAN, AND DESIGNATING AN ADA COORDINATOR.

WHEREAS, Caltrans requires all entities that receive federal financial assistance to comply with the Americans Disabilities Act (ADA) Annual Certification Form; *and*

WHEREAS, The ADA Annual Certification Form requires the following: designation of an ADA Coordinator, Adoption of an ADA Complaint Procedure, Completion of a Citywide Self-evaluation of any ADA deficiencies, and completion of a Transition Plan; *and*

WHEREAS, Caltrans requires the adoption of an ADA Complaints Procedure be completed within 6 months of the adoption of this resolution; *and*

WHEREAS, Caltrans requires completion of a Citywide Self-evaluation of any ADA deficiencies be completed within 12 months of the adoption of this resolution; *and*

WHEREAS, Caltrans requires completion of a Transition Plan be completed within 12 months of the adoption of this resolution; *and*

WHEREAS, The City of Calipatria has since prepared and completed Form 9-C, also identified as Local Agency ADA Annual Certification Form; *and*

WHEREAS, The City Council of the City of Calipatria has reviewed and hereby agrees to comply with all the written procedures specified in the Local Agency ADA Annual Certification Form attached to this Resolution as Form 9-C, effective September 13, 2010; *and*

WHEREAS, The City Council of the City of Calipatria has reviewed and hereby agrees to comply with the Caltrans requirements of designating an ADA Coordinator, Adopting an ADA Complaint Procedure, Completing a Citywide Self-evaluation of any ADA deficiencies, and completing a Transition Plan, attached to this Resolution as Form 9-C.

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Calipatria approves the designation of Romualdo Medina, City Manager as the City's ADA Coordinator; also agrees to comply with the completion and adoption of an ADA Complaints Procedure within 6 months of the adoption of this resolution; agrees to complete a Self-evaluation and Transition Plan within 12 of the adoption of this resolution.

MOTION: SECOND: VOTE:
RESOLUTION 10-54 R. Medina, City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA 2010 AMENDMENT TO THE CDBG PROGRAM INCOME REUSE PLAN TO ALLOW PROGRAM INCOME TO BE COMMITTED AND EXPENDED ON NON-REVOLVING ACTIVITY

WHEREAS, the City's Program Income Reuse Plan establishes two Revolving Loan Accounts (RLA's) from closed Community Development Block Grant (CDBG) grants currently designated for Housing Rehabilitation Loans (50%) and First Time Homebuyer Loans (50%); *and*

WHEREAS, the City of Calipatria wishes to amend the CDBG Program Income Reuse Plan to allow for a Program Income Waiver to allow for funding of non-revolving activities, including micro-enterprise technical assistance, public improvements, public facilities, public services, and public improvements in support of housing new construction; *and*

WHEREAS, the City of Calipatria understands that requests for waivers will be submitted to the State for review and approval on a case-by-case basis based on the merit of the proposed activities; *and*

WHEREAS, the City of Calipatria would like to at this time use Program Income funds to address the needed repairs of the Fire Station Facility that are required in order to continue to provide adequate fire and public safety services to the community; *and*

WHEREAS, the City of Calipatria held a required public hearing on September 28, 2010 to receive public comments on the anticipated amendment to the Program Income Reuse Plan and to comply with the Program Income Waiver procedures; *and*

WHEREAS, after hearing all relevant testimony, the City of Calipatria approves the amendment to the CDBG Program Income Reuse Plan to allow Program Income funds to be expended on non-revolving activity and the one-time expense of up to \$157,000.00 to rehabilitate the Calipatria Fire Station facility; *and*

NOW THEREFORE, IT IS RESOLVED that the City Council of the City of Calipatria amends the Program Income Reuse Plan as presented hereto and attached as Exhibit A.

MOTION: SECOND: VOTE:
RESOLUTION 10-56 R. Medina; City Manager

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA
DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR
NON-STATE AGENCIES**

BE IT RESOLVED by the *City Council* of the *City of Calipatria*; that the CITY MANAGER; FIRE CHIEF; FINANCE DIRECTOR is/are hereby authorized to execute for and in half of the City of Calipatria; a public entity established under the laws of the State of California, this application and to file it in the California Emergency Management Agency for the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988; and/or state financial assistance under the California Disaster Assistance Act.

THAT, the City of Calipatria; a public entity established under the laws of the State of California hereby authorizes its agent(s) to provide to the California Emergency Management Agency for all matters pertaining to such state disaster assistance the assurances and agreements required.

- () This is a universal resolution and is effective for all open and future disasters.
- () This is a disaster specific resolution and is effective for only disaster number(s) (enter specified disaster number(s).

MOTION: SECOND: VOTE:
RESOLUTION 10-57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA
AWARDING THE CONTRACT FOR THE ENERGY EFFICIENCY
CONSERVATION BLOCK GRANT CBG-09-120; HVAC UNITS**

WHEREAS, the city council of the City of Calipatria solicited for Request for Proposals for installation of HVAC units at the following locations:

- 1) Fire Department (2 units)
- 2) Well-Being Recreation Center Ste. C (1 unit)
- 3) PAL Bldg (2 units)

WHEREAS, a bid opening for the Emergency Efficiency Conservation Block Grant was conducted at Calipatria City Hall on September 9, 2010 and the apparent low bid was submitted by _____ and in the amount of _____; *and*
WHEREAS, the proposal submitted by _____ was review and has been determined it was the lowest, responsive, responsible proposal received; *and*
THEREFORE BE IT RESOLVED that the city council award _____ for the Energy Efficiency Conservation Block Grant; and authorize the City Manager; Romualdo Medina to execute the contract

MOTION TO ADJOURN TO Redevelopment Agency: SECOND: VOTE:

MOTION: SECOND: VOTE:
 RESOLUTION 10-55 RDA; R. Medina; Agency Director

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CALIPATRIA RESCINDING RESOLUTION 10-49 AND PROVIDING MATCHING FUNDS FOR A SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM FUNDED BY PROPOSITION 84, CHAPTER 9

WHEREAS, The City of Calipatria intends to submit an application to the California Department of Conservation for a Sustainable Communities Planning Grant and Incentives Program for the Economic 2009-10 funding cycle in the amount of \$175,000.00 *and*

WHEREAS, the Planning Grant will provide needed funding to procure planning services to prepare a General Plan Update and Zoning Ordinance Update that will result in increased affordable housing opportunities and infill development within the Redevelopment Zone; *and*

WHEREAS, the use of funds is an allowable expense under the Calipatria Redevelopment Agency (RDA) Plan and the preparation of these documents are critical for the revitalization and stimulation of economic development within the RDA Project Area; *and*

WHEREAS, administration costs associated with environmental clearance and document adoption are not covered by the Sustainable Communities Planning Grant and will necessitate a contribution of local funds in the amount of \$25,000.00; *and*

NOW THEREFORE, The Redevelopment Agency of the City of Calipatria approves commitment of the City's Redevelopment Agency (RDA) funds in the amount of **\$25,000.00** to be utilized as leverage for a total project cost of \$200,000.00.

MOTION TO RECONVENE TO OPEN SESSION AND ADJOURN TO CLOSED SESSION: SECOND: VOTE:

- 1) Existing Litigation: 1 case-
Govt Code 54956.9
- 2) CPOA labor negotiations:
Govt Code 54957.8

MOTION TO RECONVENE TO OPEN SESSION:

SECOND:

VOTE:

DISCUSSION/DIRECTION

In God we Trust- Councilmember Green

COUNCIL REPORTS:

Beltran:

Smith:

Green:

Navarro:

Fuentes:

MOTION:
ADJOURN:
TIME:

SECOND:

VOTE: