

City Hall  
City of Calipatria  
September 8, 2009  
6 PM

***PLEASE TURN OFF CELL PHONES***

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF CALIPATRIA

***MINUTES***

CALL TO ORDER: *6 pm*

PLEDGE OF ALLEGIANCE: *Smerdon*

INVOCATION: *Smith*

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

PRESENT: *Navarro, Smith, Fuentes, Ours, Beltran*

ABSENT: *None*

ALSO PRESENT: *B. Smerdon, K. Lopez, R. Medina, Interim Police Chief Mara*

**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. ***NO COMMENT***

MOTION: *Smith* SECOND: *Ours* VOTE: *Carried*

ADJOURN TO PUBLIC HEARING

**The Holt Group**

The City of Calipatria will discuss the Fiscal Year 2009-10 Community Development Block Grant (CDBG) Planning and Technical Assistance (PTA) - General Allocation Application and to solicit citizen input. The City of Calipatria is applying for grant funds in the amount of \$70,000 under the Planning & Technical Assistance General Allocation application for the following eligible activity: City of Calipatria Wastewater Treatment Plant Preliminary Design Report. **The City of Calipatria intends to leverage these grants funds with up to \$1,400 in Program Income.**

The City of Calipatria will discuss the Fiscal Year 2009-2010 Community Development Block Grant (CDBG) FREEZE Program. The City of Calipatria applied for and was awarded \$111,500 in grant funds under the CDBG FREEZE Program Allocation to carry out the eligible activities under the following program: 1) Well-Being Program. An additional \$50,000 from CDBG Program Income was used as leverage. Public services provided included: One Recreational Coordinator, Nutritional Program, Physical Program, fieldtrips, and materials/supplies for program delivery for youths and families primarily affected by the FREEZE.

MOTION: *Smith* SECOND: *Ours* VOTE: *Carried*  
RECONVENE TO OPEN SESSION

INFORMATION REPORTS- *None*

MOTION: *Smith* SECOND: *Fuentes* VOTE: *Carried*  
CONSENT AGENDA-

1. Warrants
2. Minutes- August 11<sup>th</sup>

## NEW BUSINESS

MOTION: *Fuentes* SECOND: *Ours* VOTE: *Carried*  
RESOLUTION 09-47

A RESOLUTION OF THE CALIPATRIA CITY COUNCIL APPROVING THE 2009/2010 PLANNING AND TECHNICAL ASSISTANCE GENERAL ALLOCATION FOR THE STATE CDBG PROGRAM AND DESIGNATION AUTHORIZED AGENT FOR THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO

R. Medina, City Manager, The Holt Group

**WHEREAS**, the City of Calipatria intends to submit an application to the State Department of Housing and Community Development under the Community Development Block Grant (CDBG) Planning & Technical Assistance General Allocation in the amount of \$70,000; **and WHEREAS**, the city council of the City of Calipatria has reviewed and hereby approves the application for funding in the amount of \$70,000 for the following planning activity: 1. Waste Water Treatment Plant- Preliminary Design Report: \$70,000; **WHEREAS**, the city council of the City of Calipatria has determined that federal Citizen Participation requirements were met during the development of this application; **WHEREAS**, the city council of the City of Calipatria hereby approves to commit \$1,400.00 from Program Income to be used as the City's Cash Match for this application; **and WHEREAS**, the city council desires Romualdo Medina, the City Manager of the City of Calipatria to act on the City's behalf on all matters pertaining to this application, including submittal of the application, execution of the grant amendment

2/7

documents. Additionally, Romualdo Medina, City Manager of the City of Calipatria shall be the party responsible for grant administration activities. **NOW THEREFORE BE IT RESOLVED** that the city council of the City of Calipatria approve the application for funding from the General Allocation of the State CDBG Program and identifies Romualdo Medina, City Manager as the authorized agent for all matters pertinent to said application

MOTION: *Fuentes* SECOND: *Beltran* VOTE: *Carried*  
*Beltran motions for Smith as alternate; Navarro seconds; carries*  
RESOLUTION 09-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA  
APPOINTING ONE MEMBER AND ONE ALTERNATE TO THE CITIZENS  
ADVISORY COMMITTEE (CAC) FOR A TWO YEAR TERM  
C. Hoff City Clerk

**WHEREAS**, the City of Calipatria needs to have representation for the C.A.C (Citizens Advisory Committee) at Calipatria State Prison and; **BE IT RESOLVED** that the city council appoints one member and one alternate to represent the City of Calipatria on this Committee; *Kay Ours* and alternate *Brian Smith* were appointed for a two year term which expires September 2011.

MOTION: *Navarro* SECOND: *Fuentes* VOTE: *Carried*  
RESOLUTION 09-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA  
APPROVING THE 2009/2010 TENTATIVE BUDGET  
K. Lopez Finance Officer; R. Medina City Manager

**THEREFORE BE IT RESOLVED** that the Calipatria City Council approve the 2009/2010 Tentative Budget

MOTION: *Smith* SECOND: *Fuentes* VOTE: *Carried*  
RESOLUTION 09-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA  
ACCEPTING PATRICIA NELSONS' RESIGNATION FROM THE PARK  
COMMITTEE  
C. Hoff City Clerk

**THEREFORE BE IT RESOLVED** that the Calipatria City Council accept Patricia Nelson's resignation from the Calipatria Parks Committee; effective August 18, 2009.

MOTION: *Fuentes* SECOND: *Ours* VOTE: *Carried*  
RESOLUTION 09-51

A RESOLUTION OF THE CITY OF CALIPATRIA CITY COUNCIL APPROVING  
THE MOU BETWEEN PIONEERS HOSPITAL AND THE CITY OF CALIPATRIA;  
MOU EXPIRES JUNE 30, 2011  
Interim Chief L. Mara

This agreement made the 1<sup>st</sup> day of July 2009, by and between Pioneers Memorial Healthcare District (Hospital) and City of Calipatria (City). **WHEREAS**, Hospital owns and operates an acute care hospital within the county of Imperial, State of California and provides emergency care 24 hours per day; **and WHEREAS**, Hospital has established a program to provide aid to local law enforcement agencies in investigating and assisting in the prosecution of rape and other sexually oriented crimes known as the adult Sexual Assault Response Team Program (SART). The program is operated out of its adult SART Department (Department). **WHEREAS**, the State of California and City have a responsibility to assure that sexual assault evidence is gathered according to established medical legal standards; **and WHEREAS**, Hospital and City are committed to providing the highest quality of care to victims of sexual assault; **and WHEREAS**, Hospital and City are part of a multi-jurisdictional cooperative effort involving local area hospitals, local law enforcement jurisdictions, advocate agencies, and other public agencies concerned with assisting victims of sexual assault; **and WHEREAS**, Hospital and City desire to ensure an organized, effective team response to cases of sexual assault in City through a Sexual Assault Response Team (SART), with the use of Sexual Assault Nurse Examiners (SANE).

Therefore, Hospital and City, in consideration of the covenants, stipulations, and terms expressed herein agree as follows:

1. Hospital agrees to provide and maintain a full-time single use SART examination room.
2. Hospital agrees that the SART examination room shall be separate from Hospital's Emergency Room.
3. Hospital agrees to provide SART services according to the State of California Medical Protocol for Examination of Sexual Assault Victims.
4. Hospital is responsible for ensuring that the service of a SANE is always on call.
5. Hospital is responsible for supervision of SART medical personnel.
6. Hospital will develop and maintain policies and procedures for SANE examinations conducted in accordance with the California Emergency Management agency (CalEMA), formerly OES (and even more formerly OCJP), protocols and relevant standardized requirements.
7. Hospital agrees to provide access to SART examination room for designated non-medical SART members (Designation to be provided by adult SART Department personnel).

8. Hospital will bear the cost of malpractice and liability insurance for its employees and it's SANE.
9. Hospital agrees to bear its own costs of the SART program.
10. Hospital agrees to charge and City agrees to pay fees according to the Fee Schedule.

**FEE SCHEDULE**

<b>Item</b>	<b>Fee</b>
SANE w/ colposcope	\$892.00
SANE w/o colposcope	\$444.00
Victim Exam	\$892.00
Suspect Exam	\$444.00

11. Hospital's fee may be adjusted to reflect Consumer Price Index increases in the cost of living. Such fee adjustment will not occur before July 1, 2009 and may occur annually thereafter.
12. City has designated Hospital as the SART hospital for the City of Calipatria.
13. City agrees to ensure that on-going law enforcement training is provided to encourage all law enforcement agencies to exclusively use SART examination services at Hospital.
14. The term of this Agreement is two (2) years from the date of execution to June 30, 2011.
15. Either party hereto may terminate this Agreement without cause by giving ninety (90) days written notice to the other party.
16. This Agreement supersedes any and all other agreements, whether oral or written, between the parties with prospect to the subject matter of this Agreement, and no other agreement, statement, or promise relating to the specific subject matter of this Agreement which is not contained herein shall be neither valid or binding.
17. Any amendment, modification or alteration to this Agreement must be executed in writing by both parties to the Agreement.

MOTION: *Navarro* SECOND: *Smith* VOTE: *Carried*

ADJOURN TO CLOSED SESSION

Existing Litigation; Govt Code 54956.9

1 case

Pending Litigation; Govt Code 54956.9

3 cases

*Information given for all cases*

MOTION: *Navarro* SECOND: *Fuentes* VOTE: *Carried*

RECONVENE TO OPEN SESSION

## DISCUSSION/DIRECTION

Vacant & Abandoned Properties- Councilmember Navarro – *The city of Chula Vista has adopted an ordinance to help get the vacant and abandoned properties cleaned up; citing mortgage companies or banks. City attorney said he would look into this and bring it back.*

Salton City Regional Land Fill – R. Medina City Manager—*this does not affect the city; one regional landfill for the whole valley*

Request for Proposals- City Contract Services- Raul Navarro Councilmember/ City Manager R. Medina—*because of the budget; we need to address all city contracts. Direction was given to go out for RFP on contracts.*

Proposal Compliance Project- R7-2008-0023—*the state refuses to waive the cyanide fine, even though in another letter it was accepted. Direction was given to proceed on this matter.*

## COUNCIL REPORTS:

Navarro: *does the ice cream truck have a business license?? Finance Katy said yes.*

Smith: *My prime residence is Julian; as of 8/4/09. Do I have to resign? City attorney asked where will you be living full time? Brian said he will be commuting. The mayor asked what is full time?*

Fuentes: *None*

Ours: *None*

Beltran: *The Holt Group misspelled Calipatria*

## ADJOURN:

MOTION: *Navarro* SECOND: *Smith* VOTE: *Carried*

TIME: *8:03 pm*

## ADDENDUM

### TO THE CITY COUNCIL OF THE CITY OF CALIPATRIA AGENDA FOR A REGULAR MEETING HELD ON SEPTEMBER 8, 2009

MOTION: *Ours* SECOND: *Fuentes* VOTE: *Carried*  
RESOLUTION 09-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA  
APPROVING DELEGATION OF AUTHORITY FOR EXECUTING DOCUMENTS  
WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
(CALTRANS)

**WHEREAS**, the City of Calipatria is eligible to receive Federal and/or State funding for certain Transportation Projects, through the California Department of Transportation *and*

**WHEREAS**, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds could be claimed *and*

**WHEREAS**, the City of Calipatria wishes to delegate authorization to execute these agreements and any amendments thereto to the City Manager or his/her designee be authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with California Department of Transportation.

**NOW THEREFORE BE IT RESOLVED** by the city council of the City of Calipatria that the City Manager or his/her designee is authorized to execute all Master Agreements, Program supplemental Agreements, Cooperative Agreements, Right of Way Certification, Fund Exchange Agreements, Project Certifications, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.