

City Hall
City of Calipatria
November 10, 2009
6 PM

PLEASE TURN OFF CELL PHONES

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CALIPATRIA

MINUTES

CALL TO ORDER: *6pm*

PLEDGE OF ALLEGIANCE: *Dave Gotsky- GSW*

INVOCATION: *Beltran*

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: *IPC Mara, K. Lopez, B. Smerdon, R. Medina*

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. *Pat Nelson- to city manager- how long is Pacific Ethanol @ airport? City Manager stated they are on a month to month basis; just depends on when they vacate. She stated there is a pilot who flies into Brawley because he can't land here. City Manager stated there are 3 entrances to the airport. Ruben Dominguez said they are playing soccer at the park but they need lights. He is currently paying for the lights (generator) and it's expensive. We also need a better playing field. Caldwell park has holes, it gets watered at the wrong time and is not safe. We can't use the football field or baseball park. A Roberto Salavas has been volunteering at Hernandez Park and it has a sprinkler system but it just needs work.*

INFORMATION REPORTS

Rosanna Bayon Moore- SCAG representative – *information provided*

MOTION: *Smith* SECOND: *Navarro* VOTE: *carried*
CONSENT AGENDA

October 13th, October 27th minutes
Warrants

NEW BUSINESS

MOTION: *Navarro* SECOND: *Smith* VOTE: *carried*

RESOLUTION 09-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA SELECTING AND APPROVING THE 2002 PARKS BOND ACT PROJECT/S **WHEREAS** the City of Calipatria has received a 2002 Bond Act (Proposition 40) Per Capita Block Grant in the amount of \$ 220,000, **WHEREAS**, the City of Calipatria has solicited input from the Park Committee, Public Meetings, and staff in prioritizing Potential Park Projects **THEREFORE BE IT RESOLVED**, the City of Calipatria City Council select the 2002 Bond Act Project/s as **#1 Install sprinklers at Caldwell, Hernandez, Rademacher, Miksell and So. Side Parks #2 Ball field lighting at Hernandez Park.** and authorize the Finance Officer Katy Lopez and/or City Manager Rom Medina to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the projects.

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

RESOLUTION 09-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA ADOPTING THE ECONOMIC DEVELOPMENT (ED) COMMERCIAL FAÇADE IMPROVEMENT PROGRAM GUIDELINES

WHEREAS, The City of Calipatria was **\$300,000.00** by the State Department of Housing and Community Development, under the Economic Development Block Grant component, for the funding of a Commercial Façade Improvement Program; and **WHEREAS**, the State requires the adoption of the Commercial Façade Improvement Program Guidelines prior to implementing the program; and **WHEREAS**, the draft Program Guidelines were prepared during the design and application phase of the project under which a public hearing was held to review the proposed Guidelines for the ED Commercial Façade Improvement Program; and **WHEREAS**, the City's Commercial Façade Improvement Program is designed to provide assistance to business owners and property owners to improve the appearance of non-residential properties within the City of Calipatria; and **WHEREAS**, the Program's goal is to remove slum and blight within the City while fostering economic development; and **WHEREAS**, the City Council of the City of Calipatria has had the opportunity to review and comment on the proposed Program Guidelines, incorporated hereto as Attachment A; and **WHEREAS**, the City Council of the City of Calipatria has reviewed and hereby approves the Commercial Façade Improvement Program Guidelines; and **NOW THEREFORE, IT IS HEREBY RESOLVED** that the City Council of the City of Calipatria approves the adoption of the Commercial Façade Improvement Program Guidelines as presented hereto in Attachment A.

2/5

MOTION: *Smith* **SECOND:** *Fuentes* **VOTE:** *Carried*

RESOLUTION 09- 64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA RATIFYING THE ACTIONS OF THE CITY MANAGER CONCERNING THE CALIPATRIA FAMILY APARTMENTS, L.P. HOME FUNDS LOAN

WHEREAS, the Calipatria City Council authorized the City of Calipatria to participate in the Home Funds program and as a result of that participation, the City of Calipatria made a loan of funds received from the Home Funds program to the Calipatria Family Apartments, L.P. in the amount of \$3.4 million dollars; **and WHEREAS**, as security for that loan Calipatria Family Apartments, L.P. granted the City of Calipatria a security interest secured by deed of trust in their real property commonly known as the Calipatria Family Apartments; **and WHEREAS**, the City's security interest was in second priority behind a substantially larger loan made to the Calipatria Family Apartments for construction financing; **and WHEREAS**, Calipatria Family Apartments, L.P. has secured permanent financing that will substantially reduce the secured debt that has higher priority than the City's position; **and WHEREAS**, the permanent financing is contingent on the City subordinating its position with respect to the security to the new lender; **and WHEREAS**, it is in the best interests of the City to agree to the condition because the proposed subordinate position still provides that there is less debt in front of the City in the event of default than the City's current security position; **and WHEREAS**, the City Council by its resolution 04-55 granted the City Manager the authority to execute any and all documents necessary to administer the Home Funds; **and WHEREAS**, it was necessary for the City Manager to execute the subordination agreement prior to the City Council's next regularly scheduled meeting or Calipatria Family Apartments, L.P. would have been in default to the primary lender; **and WHEREAS**, the City Manager executed the documents on behalf of the City pursuant to Resolution 04-55 with the advice of the City Attorney: **THEREFORE, BE IT RESOLVED**, that the Calipatria City Council hereby ratifies the City Manager's action taken pursuant to Resolution 04-55, of executing on behalf of the City of Calipatria, the subordination agreement dated October 30, 2009.

MOTION: *Beltran* **SECOND:** *Smith* **VOTE:** *Carried*
ADJOURN TO REDEVELOPMENT AGENCY

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

RESOLUTION 09-65 RDA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIPATRIA REDEVELOPMENT AGENCY RATIFYING THE ACTIONS OF THE AGENCY DIRECTOR CONCERNING THE CALIPATRIA FAMILY APARTMENTS, L.P. HOME FUNDS LOAN

WHEREAS, the Calipatria City Council authorized the City of Calipatria to participate in the Home Funds program and as a result of that participation, the City of Calipatria made a loan of funds received from the Home Funds program to the Calipatria Family

3/5

Apartments, L.P. in the amount of \$3.4 million dollars; and **WHEREAS**, the Board of Directors of the Calipatria Redevelopment Agency agreed to participate in the project by making a grant to the developer for the purpose of constructing needed offsite improvements in exchange for certain covenants referred to hereinafter as the Regulatory Agreement, that run with the land upon which the project is constructed; and **WHEREAS**, Calipatria Family Apartments, L.P. has secured permanent financing that will substantially reduce the secured debt that is secured by the project; and **WHEREAS**, the permanent financing is contingent on the Agency subordinating its position with respect to the Regulatory Agreement to the new lender; and **WHEREAS**, it is in the best interests of the Agency to agree to the condition because the proposed subordinate position still provides that there is less debt in front of the Agency in the event of default than the Agency's current security position; and **WHEREAS**, it was necessary for the City Manager to execute the subordination agreement prior to the Board of Director's next regularly scheduled meeting or Calipatria Family Apartments, L.P. would have been in default to the primary lender; and **WHEREAS**, the Agency Director has executed the documents on behalf of the Agency pursuant to the advice of the Agency Attorney: **THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Calipatria Redevelopment Agency hereby ratifies the Agency Director's action of executing on behalf of the Calipatria Redevelopment Agency, the subordination agreement dated October 30, 2009.

MOTION: *Beltran* SECOND: *Fuentes* VOTE: *Carried*
RECONVENE TO OPEN SESSION

DISSCUSSION/ DIRECTION

Library Lease- *The city would like to send a proposal to the Imperial County Library that the city would have first right to obtain the facility to continue service. Council gave direction to send new contract.*

Employee Stipends- Council Member Navarro- *Fuentes stated we should have something in place for a stipend. City attorney said it depends on the level of reserve; need to talk with the bargaining unit first. Officers like the over time. Gave direction to proceed with bargaining unit.*

COUNCIL REPORTS:

Navarro: *thank the fire department for the carnival. November 18th is the Aquatic center opening. Congratulations to Carlos Estrada for the school board.*

Smith: *Under staffed at the fire department for the holidays; we need 2 people and an extra one for the weekend. The school is opening the aquatic center and the city needs to play this event up. Also we were in the parade.*

Fuentes: *East side cotton gin? City attorney said the property owners have received notice. Calipat Growers has one last living member and we need to serve him. Thanked*

4/5

everyone for the election.

Ours: *None*

Beltran: *Mr. Dominguez needs a porta potty for practice at the park.*

ADJOURN:

MOTION: *Beltran* SECOND: *Fuentes* VOTE: *Carried*

TIME: 7:38