

City Clerk Catherine Hoff is inviting you to a scheduled Zoom meeting.

**City of Calipatria Closed Session Public Comment (1)**

May 11, 2021 5:15 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/4139191353?pwd=dEZL1A3OXVqeE5OKzFtbjBQMG1IQT09>

Meeting ID: 413 919 1353

Passcode: 627042

One tap mobile

+16699006833,,4139191353#,,, \*627042# US (San Jose)

+13462487799,,4139191353#,,, \*627042# US (Houston)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

Meeting ID: 413 919 1353

Passcode: 627042

Find your local number: <https://us02web.zoom.us/u/kbwV3JBP9H>

MOTION TO OPEN PUBLIC COMMENT FOR CLOSED SESSION

MOTION:                      SECOND:                      VOTE:

MOTION TO CLOSE PUBLIC COMMENT CLOSED SESSION

MOTION:                      SECOND:                      VOTE:

**City of Calipatria City Council (only) Closed Session (2)**

May 11, 2021 5:20 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/88428671895?pwd=dW5GQU5LWEVuL1JTQmh0Qmc4MEdQdz09>

Meeting ID: 884 2867 1895

Passcode: 038327

One tap mobile

+16699006833,,88428671895#,,, \*038327# US (San Jose)

+13462487799,,88428671895#,,, \*038327# US (Houston)

Dial by your location

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+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

Meeting ID: 884 2867 1895  
Passcode: 038327  
Find your local number: <https://us02web.zoom.us/j/88428671895>

ROLL CALL: *Mayor:Huston Hisel, MayorProTem: Javier Amezcua, Hector Cervantes, Maria N. Froelich, Sylvia Chavez*  
PRESENT:  
ABSENT:  
ALSO PRESENT:

MOTION:                   SECOND:       VOTE:  
ADJOURN TO CLOSED SESSION

Real Property Negotiation's – Govt Code 54956.9  
Three cases

Conference with Labor Negotiators- Govt Code 54957.8  
Unrepresented Employee

MOTION:                   SECOND:       VOTE:  
RECONVENE TO OPEN SESSION

**City of Calipatria City Council Meeting (3)**  
May 11, 2021 6:00 PM

Join Zoom Meeting  
<https://us02web.zoom.us/j/88941921930?pwd=bDNpek1PUW8lOUVNeG1yRlJlTXRrUT09>

Meeting ID: 889 4192 1930  
Passcode: 418421  
One tap mobile  
+16699006833,,88941921930#,,,,\*418421# US (San Jose)  
+12532158782,,88941921930#,,,,\*418421# US (Tacoma)

Dial by your location  
+1 669 900 6833 US (San Jose)  
+1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)  
+1 929 436 2866 US (New York)

Meeting ID: 889 4192 1930  
Passcode: 418421  
Find your local number: <https://us02web.zoom.us/j/88941921930>

City of Calipatria  
May 11, 2021  
6 PM

ZOOM MEETING OF THE CITY COUNCIL  
OF THE CITY OF CALIPATRIA  
**IF YOU ARE NOT SPEAKING PLEASE MUTE YOURSELF**  
AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

ROLL CALL: Mayor:Huston Hisel, MayorProTem: Javier Amezcua, Hector Cervantes, Maria N. Froelich, Sylvia Chavez

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.

**THIS AGENDA CONTAINS A BRIEF GENERAL DESCRIPTION OF EACH ITEM TO BE CONSIDERED. EXCEPT AS OTHERWISE PROVIDED BY LAW, NO ACTION OR DISCUSSION SHALL BE TAKEN ON ANY ITEM NOT APPEARING IN THE FOLLOWING AGENDA**

ANNOUNCEMENT OF CLOSED SESSION:

- 1)
- 2)
- 3)
- 4)

INFORMATION REPORTS

Police Report

Animal Control Ordinance- Councilmember S. Chavez

MOTION: SECOND: VOTE:

CONSENT AGENDA

- 1. Warrants
- 2. Minutes- April 13<sup>th</sup>

NEW BUSINESS

MOTION: SECOND: VOTE:

RESOLUTION 21-16 Councilmember Amezcua

A RESOLUTION OF THE COUNCIL OF THE CITY OF CALIPATRIA in IMPERIAL COUNTY, STATE OF CALIFORNIA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO, IN GOD WE TRUST, IN THE CALIPATRIA COUNCIL CHAMBERS IN A PROMINENT LOCATION AT CITY HALL.

WHEREAS, IN GOD WE TRUST, became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, the City desires to display this patriotic motto in the Council Chambers as a way to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Calipatria hereby resolve as follows:

Section 1. That the City Council of the City of Calipatria, California, does hereby determine that the historic and patriotic words of our national motto, IN GOD WE TRUST, shall be permanently and prominently displayed in the Calipatria Council Chambers at City Hall.

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

#### DISCUSSION/DIRECTION

Topics for 2021/2022 workshop-

City Manager/City Council Ordinance- Councilmembers M. N-Froelich/S. Chavez

AN ORDINANCE OF THE CITY OF CALIPATRIA, CALIFORNIA, AMENDING CALIPATRIA ORDINANCE 16-002 WHICH AMENDED ORDINANCE 322, WHICH ESTABLISHED THE COUNCIL/MANAGER PLAN FORM OF GOVERNMENT AND CREATED THE OFFICE OF CITY MANAGER AND DEFINED THE DUTIES AND POWERS THEREOF

THE CITY COUNCIL OF THE CITY OF CALPATRIA DOES HEREBY ORDAIN AS FOLLOWS:

Calipatria Ordinance No. 16-002 is hereby amended to read as follows:

#### SECTION 1: THE COUNCIL/MANAGER PLAN

a) Introduction: The City of Calipatria hereby adopts and uses of the Council/Manager Plan form of local government to combine the strong policy leadership of elected officials in the form of a Council with the strong managerial and administrative abilities of a qualified professional City Manager. The Plan provides a representative government system in which the entire Council determines the policies and services of the community and the City Manager effectively and efficiently implements these policies and the delivery of these services.

b) Council Functions: The Council is the legislative body; its members are the community's decision-makers. Power is centralized in the elected Council collectively and not in individual members of the Council. The Council approves the budget and determines the public services to be provided and the taxes, fees and assessments to pay for these public services. The Council will establish policies in the form of city ordinances and resolutions and will evaluate them periodically to best serve the community. It focuses on the community's vision goals that are derived from community input, surveys, town hall meetings set annually. These goals will be determined with final consideration and approval of Council; will include, major projects, short term and such long terms contingent upon funding resources, as community growth, General Plan and land use, economic development, redevelopment, development standards, capital improvements, financing and strategic planning. The Council will hire a professional Manager to carry out the administrative responsibilities and supervise the Manager's performance.

c) City Manager Functions: The Manager is hired to serve the Council and the community and to bring to local government the benefits of education, training and experience in administering the City's projects,

programs, and public services on behalf of the Council. The Manager prepares a recommended budget for the Council's consideration, recruits, hires and supervises the City's personnel, contractors and consultants; serves as the Council's chief advisor; and implements the Council's policies [resolutions and ordinances set forth by the City Council and will be responsible for the management, posting on city website, will work closely with all department heads to implement code enforcement of such policies throughout the city in addition to](#) ~~and~~ programs and public services in an effective and efficient manner. The City Manager provides or supervises the delivery of complete and objective information, provides options and alternatives, and analyzes long- and short-term consequences on public services, finances, growth and land uses, development standards, and other community programs and needs. The City Manager provides professional advice on policy matters, intergovernmental affairs and economic development. The City Manager follows the direction of the entire Council and not individual members of the Council or public, and serves at the sole discretion of the Council.

SECTION 2: CREATION OF THE OFFICE The office of City Manager is hereby created and established.

SECTION 3: APPOINTMENT OF CITY MANAGER The appointment of the City Manager shall require the vote of at least three members of the City Council and shall hold office at the pleasure of the City Council. The City Manager shall be chosen by the Council solely on the basis of his/her executive and administrative qualifications with special reference to the Manager's actual experience in or his/her knowledge of accepted practices in respect to the duties of the Manager's office hereinafter set forth. The City Manager position is considered a full-time position.

The Council shall enter into an employment agreement with the City Manager outlining his/her compensation, benefits, terms and conditions of employment and other items deemed desirable to be included in an agreement. To the extent said agreement conflicts with these polices, the agreement shall control.

SECTION 4: INSURANCE In order to protect the City in the event of dishonesty, the City shall carry dishonest employee insurance coverage.

SECTION 5: COMPENSATION AND EXPENSES The City Manager shall receive such compensation and expense allowance in accordance with the Employment Agreement and as the City Council shall from time to time determine and fix by resolution. Such compensation and expense allowance shall be a proper charge against such funds of the City as the City Council shall designate. The City Manager shall make monthly reports to the City Council summarizing reimburse expenses for the previous month.

SECTION 6: AGREEMENTS ON EMPLOYMENT Nothing in the section shall be constructed as a limitation on the power or authority of the City Council to enter into any supplemental agreement with the City Manager delineating additional items and/or supplemental duties on employment agreement or conditions of employment.

SECTION 7: RESIDENCE Residence in the City shall not be required. However, within a reasonable time following appointment, the City Manager must establish residence within a reasonable driving distance of the City.

SECTION 8: COUNCIL MEMBERS ELIGIBILITY No member of the City Council shall be eligible for appointment as City Manager until one year has elapsed after such Council Member has ceased to be a member of the City Council.

SECTION 9: EVALUATION OF THE CITY MANAGER'S PERFORMANCE The City Council shall conduct, at least annually, an evaluation of the City Manager's performance. The evaluation will be based on Ordinance 322 and include the community vision goals and objectives set forth by Council at the beginning of each fiscal year. [Council may establish an ad hoc committee on an annual basis to make recommendations to the Council as a whole the establishment of goals for the City Manager for the following year. Council may likewise establish an ad hoc committee to work with the City Manager to establish a rating tool that can be used to assess the City Manager's performance.](#) The City Manager shall

be given the opportunity to discuss his/her performance with the City Council before the evaluation is concluded. The results of this evaluation shall be put in writing and discussed with the City Manager. The City Manager will bring forth his/her performance evaluation to be conducted each year due by March 1st, except in any year that the City Manager's contract is due to expire. And in those years the matter will be placed on the Council's agenda a minimum of 120 days prior to the expiration of the contract to allow Council an opportunity to conduct the evaluation within 90 days of the expiration of the contract as required in this ordinance and avoid automatic additional two year contract.

**SECTION 10: ACTING CITY MANAGER** The City Manager shall designate one of the department heads as Acting City Manager during any temporary absence or disability of the City Manager. The City Council shall name the Acting City Manager in the event of a prolonged absence, (more than thirty days), of the City Manager or if the City Council terminates or places the City Manager on administrative leave.

**SECTION 11: CODE OF ETHICS** The City Manager shall be familiar with and adhere to the International City/County Management Association's (ICMA) Code of Ethics.

**SECTION 12: POWERS AND DUTIES OF CITY MANAGER** The City Manager shall be the Chief Administrative Officer of the City and the Executive Director of any City Agency established in the future by legislation designed to replace the former Redevelopment Agency. The Manager may head one or no more than one departments shall be responsible to the City Council for the proper administration of all affairs of the City. To that end he/she shall have the power and shall be required to:

- a) Authority over employees. It shall be the duty of the City Manager and he/she shall have the authority to control, order, and give directions to all heads of department and to subordinate officers and employees of the City under his/her jurisdiction through their department heads.
- b) Appointment and removal of employees. It shall be the duty of the City Manager to, appoint, remove, promote, demote, suspend, or dismiss all officers and employees of the City, except the City Attorney, City Clerk and City Treasurer subject to all applicable laws and personnel rules and regulations.
- c) Departmental cooperation. It shall be the duty of all subordinate officers including the City Attorney, City Clerk and City Treasurer to assist the City Manager in administering the affairs of the City efficiently, economically and harmoniously. Department heads responsible to the City Manager shall take direction only from the City Manager.
- d) Administrative Reorganization. It shall be the duty and responsibility of the City Manager to conduct studies and effect such administrative reorganization of offices, positions, or units under his/her direction as may be indicated in the interest of efficient, effective, and economical conduct of the city's business.
- e) Enforcement of Laws. To assure that all laws and ordinances of the City are duly enforced and that all franchises, permits and privileges granted by the City are faithfully observed
- f) Representation of City. To represent the City in its negotiations and working relationships with the State, the County and other governmental jurisdictions, and or any other private or public organization or entity provided that any contracts negotiated for the exchange of services form any such other governmental jurisdiction shall be subject to approval by the City Council.
- g) Performance of Duties of City Auditor. To perform or have performed by a properly certified public accountant all the duties and powers imposed by law on a City auditor.
- h) Attendance at Council Meetings. To attend meetings of the City Council unless excused therefrom by the Council, except when his/her removal is under consideration by the Council. The City Manager shall be entitled to notice of all regular and special meetings of the City Council.

- i) Recommended Activities. Recommend to the City Council adoption of such measures including ordinances and resolutions, as he/she may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.
- j) Advise as to Finances. To keep the City Council at all times fully advised as to the financial conditions and needs of the City.
- k) Preparation of the Budget. To prepare and submit to the City Council the proposed annual budget each year to and allow public input during a budget hearing and allow direction from Council. The budget should reflect goals and objectives set forth by Council.
- l) Purchase of Supplies. Subject to and in accordance with the City purchasing ordinance, to direct and supervise the purchase and acquisition in any lawful manner of all property, equipment, services, material, and supplies for the City and for all departments and divisions thereof, provided the purchase or acquisition thereof has been approved by the City Council or is included in a budget which has been approved and adopted by the City Council. No expenditure shall be submitted or recommended to the City Council except on report or approval of the City Manager.
- m) Investigation of City Affairs and Complaints. Investigate the affairs of the City or any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the government of the City, and in regard to service maintained by the public utilities in the City, and see that all franchises, permits, and privileges granted by the City are faithfully performed and observed.
- n) Supervision of Public Property. To exercise general supervision over all public buildings, public parks, and all other public property which is under the control and jurisdiction of the City Council.
- o) Hours of Employment. The City Manager's entire working time shall be devoted to the duties of this office, as assigned by the City Council, and shall be granted executive compensation for time spent as provided by the City Council.
- p) Performance of Delegated Duties. To perform such other duties and exercise such other powers as may be delegated to the City Manager from time to time by ordinance or resolution or other action of the City Council.
- q) Attendance at Commission and Board Meetings. To attend any and all meeting of any commissions or boards heretofore or hereafter created by the City Council upon the City Manager's own volition or upon direction of the City Council. The City Manager will attempt to attend at least one meeting a year. The City Manager shall be heard by such commissions and boards as to all matters upon which he/she wishes to address.
- r) Authorization for Professional Services. To approve and sign contracts for any special and professional services as authorized by the City Council.
- s) Personnel Plan. To prepare and update personnel rules and regulations and procedures and classification plans and establish proper administrative policies and directives and handle all negotiations, grievances, and personnel actions.
- t) Preparation of Compensation Plan. To prepare, submit and recommend to the City Council a compensation plan for all appointed officers and employees of the City.
- u) Leadership in Civic Activities. To provide leadership for civic activities designated to benefit the residents of the City when so authorized by the City Council.
- v) Communications. The City Manager shall provide a monthly written report at a City Council meeting informing Council of his/her activities, involvement with individual Council Members and project

status reports. Information concerning confidential development projects, and other sensitive information concerning negotiations, employment relations, etc., shall not be included in these reports and may be reported to Council in Closed Session if it is appropriate to hold a Closed Session meeting pursuant to the Ralph M. Brown Act.

SECTION 13: COUNCIL-MANAGER RELATIONS The City Council and its members shall deal with the administrative services of the City only through the City Manager. The members of the City Council may meet with department heads and other employees for the purposes of asking questions and gathering information. However, neither the Council nor any of its members shall give orders or instructions implied or otherwise to any subordinates of the City Manager. The City Manager shall take orders and instruction from the City Council only when sitting in a duly convened meeting of the City Council. No individual Council Member shall give any orders or instructions to the City Manager.

SECTION 14: REMOVAL OF THE CITY MANAGER

(a) The removal of the City Manager shall require the vote of at least three members of the City Council at a regular or special meeting of the Council. Such action shall be consistent with the Employment Agreement and applicable laws.

(b) The City Council, with a majority vote, shall have the right to place the City Manager on Administrative Leave with full pay or suspend the City Manager without pay.

(c) The City Manager shall not be removed from office, other than for misconduct in office, during or within a period of ninety days next succeeding any general municipal election held in the City at which a member of the City Council is elected or when a new City Council member is appointed. The purpose of this provision is to allow a newly elected or appointed member of the City Council or a reorganized City Council to observe the actions and ability of the City Manager in the performance of the duties of his/her office.

SECTION 15: ADOPTION. The City Clerk shall, within 15 days of its passage, cause the ordinance to be posted in at least three public places in the City. This ordinance shall take effect 30 days from and after the date of its final passage and adoption.

COUNCIL REPORTS:

Cervantes:

Chavez:

Nava-Froelich:

Amezcuca:

Hisel:

STAFF:

Medina:



Hoff:

MOTION:  
ADJOURN:

SECOND:

VOTE: