

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

City of Calipatria City Council Meeting

Tuesday January 24, 2023 6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/84125077274?pwd=YUFSS0RiVE5NcnpjU0dIcFNYZlQ0QT09>

Meeting ID: 841 2507 7274

Passcode: 787308

One tap mobile

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+1 253 215 8782 US (Tacoma)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 931 3860 US

+1 689 278 1000 US

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

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City of Calipatria

January 24, 2023

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: Maria N-Froelich, MayorProTem Sylvia Chavez, Javier Amezcua, Mike Euellen, Fred Beltran

PRESENT:

ABSENT:

ALSO PRESENT:

MOTION:

SECOND:

VOTE:

ADJOURN TO PUBLIC HEARING

The purpose of the public hearing will be to discuss and adopt the 5-year Housing Plan for the Permanent Local Housing Allocation Program (PLHA). The PLHA Program is intended to provide funding to local

governments for eligible housing-related projects and programs that assist in addressing the unmet housing needs of their local communities. the city of Calipatria has a total of \$319,833 of available funding from the 2019,2020,2021 allocations. The city intends to utilize these funds for predevelopment costs, specifically on the southeast portion of the City of Calipatria, to facilitate and accommodate current and future housing projects. During this hearing, the city council will allow public comments and either approve the 5-year Housing Plan or provide alternative direction.

MOTION: SECOND: VOTE:
RECONVENE TO OPEN SESSION

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

INFORMATION REPORTS

Fire/Nuisance Abatement Report

Contract agreement-Hernandez Park Irrigation System & Facility Improvements Project- the Holt Group

Staff Report PLHA- R. Medina

Staff report/ Notice of Availability of surplus Land- R. Medina/ Steve Dukett

MOTION: SECOND: VOTE:
CONSENT AGENDA

1. Minutes- Jan 10th

NEW BUSINESS

MOTION: SECOND: VOTE:
RESOLUTION 23-04 R. Medina city manager

AUTHORIZING RESOLUTION OF THE CITY OF CALIPATRIA AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM

All of the council members of the City of Calipatria hereby consents to, adopts, and ratifies the following resolution:

A. WHEREAS, the Department of Housing and Community Development ("Department") is authorized to provide up to \$335 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2))).

B. WHEREAS the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 8/17/2022 under the Permanent Local Housing Allocation (PLHA) Program;

C. WHEREAS the City of Calipatria is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.

D. WHEREAS the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients.

NOW THEREFORE BE IT RESOLVED THAT:

1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.
2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations (\$462,611), as stated in Appendix C of the current NOFA, in accordance with all applicable rules and laws. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules, and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.
3. Pursuant to Section 302(c)(4) of the Guidelines, Applicant’s PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.
4. Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
5. Applicant certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A), (B) and (C).
6. Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
7. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.
8. The City Manager of the City of Calipatria is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

MOTION: SECOND: VOTE:
RESOLUTION 23-05 R Medina City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA AUTHORIZING THE FOLLOWING SIGNATURES FOR CHECK AUTHORIZATION FOR ALL FINANCIAL INSTITUTIONS AND THE LOCAL AGENCY INVESTMENT FUND (L.A.I.F.)

WHEREAS, the City of Calipatria requires two signatures on all checks for payment; and

WHEREAS, the following people have said authorization:

Romualdo Medina; City Manager _____

Catherine Hoff, City Clerk _____

Natasha Saucedo, Administrative Asst. _____

WHEREAS, a signed contract is required between the financial institutions, and

THEREFORE BE IT RESOLVED; the city clerk has authorization to sign said contract;
THEREFORE BE IT FURTHER RESOLVED, the above signatures are approved by the Calipatria City Council;

MOTION: SECOND: VOTE:
RESOLUTION 23-06 C. Hoff City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA APPOINTING A VOTING DELEGATE FOR THE 2023 SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GENERAL ASSEMBLY - THURSDAY MAY 4TH AND FRIDAY MAY 5TH

THEREFORE BE IT RESOLVED; that the city council of the City of Calipatria appoint _____, as the City of Calipatria voting delegate and _____ as an alternate voting delegate for the 2023 SCAG General Assembly held at JW Marriott Desert Springs Resort & Spa, Palm Desert, CA

MOTION: SECOND: VOTE:
RESOLUTION 23-07 Medina City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA AWARDED A CONTRACT FOR DESIGN ENGINEERING SERVICES FOR THE HERNANDEZ PARK, RADEMACHER PARK, AND CALDWELL PARK IMPROVEMENTS PROJECT

WHEREAS, the City of Calipatria was awarded grant funds in the amount of \$64,484.00 from the Department of Housing and Community Development 20-CDBG-CV1-00183 Standard Agreement; and

WHEREAS, the awarded grant funds were amended and approved to include program income on June 28, 2022 in resolution 22-30 to include additional funding in the amount of \$1,100,000.00 to improve Hernandez Park and the City’s Eastside, as well as fund other improvements to other City public facilities in Rademacher and Caldwell Parks; and

WHEREAS, the City of Calipatria sent out a Request for Proposal (RFP) on November 2022 and received no responses for Design Engineering Services for the said project; and

WHEREAS, no proposals were received by the due date of November 17, 2022, from any engineering firms; and

WHEREAS, the City of Calipatria requested and received HCD authorization to use City Contract Engineer The Holt Group, Inc. to complete the Design Engineering Services; and

WHEREAS, the City of Calipatria received a qualified proposal from The Holt Group, Inc.; and

NOW THEREFORE LET IT BE RESOLVED, that the Calipatria City Council hereby;

1. Certifies that the above recitals are true and correct; and
2. Awards a contract for Design Engineering Services to The Holt Group, Inc. in the amount of \$205,000; and
3. Delegates and authorizes the City Manager to sign, execute, and submit all documents as applicable to the proposed project.

MOTION: SECOND: VOTE:
 RESOLUTION 23-08 R. Medina city manager/ Steve Dukett TKE Engineering

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIPATRIA, CALIFORNIA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY LOCATED AT 500 WEST MAIN STREET (CLIFF HATFIELD MEMORIAL AIRPORT) (APN 023-070-007) IS SURPLUS LAND AND NOT NECESSARY FOR THE CITY'S USE, FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING CERTAIN RELATED ACTIONS

WHEREAS, this Resolution concerns that certain real property designated as APN 023-070-007 consisting of approximately 170 acres located at 500 West Main Street (Cliff Hatfield Memorial Airport), as more particularly described in Exhibit "A" to this Resolution (the "Property"); and

WHEREAS, pursuant to the California Surplus Land Act, Government Code (the "GC") §§ 54220-54234 (the "Act"), as amended by AB 1486 (Chapter 664, Statutes of 2019; "AB 1486") and Guidelines promulgated thereunder by the California Department of Housing and Community Development (the "HCD") dated as of April 2021 (the "Guidelines"), in order for the Property to be disposed of, such land must first be made available under a process set forth in the Act and expounded upon by the Guidelines; that process requires that a notice be given calling for written notices of interest after the affected public entity has designated such land as surplus by the taking of a formal action at a public meeting of such public agency; and

WHEREAS, pursuant to the Act, land is necessary for the City's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the City, for City work or operations; and

WHEREAS, the Act, as expounded upon by the Guidelines, provides that such land shall be declared either surplus land or exempt surplus land before the City may take action to dispose of it consistent with the City's policies or procedures; and

WHEREAS, GC § 54222, requires the City, if it declares land to be surplus and not necessary for the City's use, to provide written notice thereof to certain local public agencies and housing sponsors (the "Designated Parties"), the form of such notification is included as Exhibit "B" to this Resolution (the "Notification Process"); and

WHEREAS, the Notification Process concerns only the Designated Parties; and

WHEREAS, the Notification Process provides the Designated Parties a 60-day opportunity to request to negotiate for the disposition of the Property consistent with parameters for such negotiations provided by the Act; and

WHEREAS, the Notification Process is not a request for proposals, does not bind the City to any disposition of the Property and does not supersede the applicable provisions of the Calipatria Municipal Code; and

WHEREAS, the Act does not impose any mandates or timeframes with respect to the disposition of real property; and

WHEREAS, if approved, this Resolution will confirm the City's declaration that the Property is surplus and authorize the initiation of the Notification Process to local public agencies as prescribed by the Act and to housing sponsors as promulgated by HCD pursuant to the Act and the Guidelines; and

WHEREAS, failure to follow the procedure described in the Act and expounded upon by the Guidelines for providing a notice of availability of surplus land and related actions, may subject the City to financial and other penalties and measures and may frustrate the ability of the City to further its achievement of its development goals pursuant to the City's General Plan; and

WHEREAS, in addition to the foregoing, the HCD has certain oversight authority over negotiations with Designated Parties, if any, for the purpose of confirming that such negotiations were conducted within the parameters described in the Act; and

WHEREAS, consistent with the foregoing, City Staff recommends that the City Council declare the Property to be surplus and not necessary for the City's use; and

WHEREAS, approval of this Resolution will confirm the City Council's declaration that the Property is surplus and not necessary for the City's use at this time and authorize the initiation of the Notification Process as prescribed by the Act; and

WHEREAS, pursuant to § 15060 (c) (3) of the California Environmental Quality Act (the "CEQA") Guidelines (i.e., California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387), approval of this Resolution is exempt from CEQA because the actions described herein will not result in a direct or indirect physical change in the environment and the actions described herein are not a "Project", as defined within § 15378 of the CEQA Guidelines; and

WHEREAS, all the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calipatria, California, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

Section 2. The City Council hereby declares that the Property is surplus land and not necessary for the City's use at this time and authorizes the initiation of the Notification Process as prescribed by the Act and as further expounded upon by the Guidelines.

Section 3. The City Manager, or designee, is hereby authorized to do all things that are necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed. Such actions include negotiating in good faith in accordance with the requirements of the Act and the Guidelines with any of the Designated Parties that submit a written notice of interest as to the disposition of the Property in compliance with the Act.

Section 4. This Resolution has been reviewed with respect to the applicability of the CEQA (Public Resources Code § 21000 et seq.). City staff has determined that the designation of the Property as surplus

does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines § 15060(c)(3) because it is not a project as defined by the CEQA Guidelines § 15378. Adoption of the Resolution does not have the potential for resulting in either a direct or indirect physical change in the environment. If and when the Property is sold or leased and that lessee or new owner proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

Section 5. Pursuant to the foregoing, the City Clerk is directed to file a Notice of Exemption pursuant to CEQA Guidelines § 15062.

Section 6. This Resolution shall take effect upon the date of its adoption.

DISCUSSION/DIRECTION

Zoom meetings- R. Medina

Calexico support letter for the existence of Local Emergency- M. Luellen

Re-instating conferences for city council/staff

COUNCIL REPORTS:

Beltran:

Euellen:

Amezcuca:

Chavez:

Nava-Froelich:

STAFF:

Medina:

Hoff:

MOTION:
ADJOURN:

SECOND:

VOTE: