

MEETING MINUTES OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF  
WESTMORLAND FOR February 17, 2021

The City Council of the City of Westmorland met in special meeting in City Hall on Wednesday, February 17, 2021 at 6:00 PM. Mayor Ana Beltran called the meeting in order at 6:00 PM and Ms. Darlene Berber led the invocation.

*Present at time of roll call:* Council members Mayor Ana Beltran, Mayor Pro Tem Xavier Mendez, Judith Rivera, Justina Cruz, Present later in meeting Ray Gutierrez

Also, Present City Clerk Darlene Berber, Police Chief Perry Monita, Mr. Ramiro Barajas

Public Comments:

Richard Cordero Westmorland Superintendent – Would like to clarify or address and questions anyone my have regarding the news release that was put out by the health department and the imperial county office of education regarding the reopening of the school and it added some confusion to some of the parents at our schools. He sent out a letter stating that the COVID-19 Safety plan is only one step in a series of steps to be able to reopen up the school. We are currently in the process of completing those steps to be able to reopen up the schools. We are currently on the process of completing such steps, but as of right now we do not have a initial start date or a reopening of the school for in-person instruction. Mayor Beltran asked So do you plan to open this year? Mr. Cordero, That is a possibility. Mayor or are you preparing for the following year? Mr. Cordero at this point we do not have a reopening date. The News release that was sent out made it sound like the schools thru out the county were ready to be reopened. From Kinder thru 6<sup>th</sup> Grade but I wanted the council to be aware that at this point we are still working on the process on when that could be. It could very well be that we can be opened by or before the end of this year. Um but that's not 100% sure at this time. Mayor Beltran asked does anyone else have any questions or comments? Mr. Cordero, Just want to make sure if anyone or the council themselves had any questions at this time that I'm able to answer them at this time. Mayor Beltran, What's the procedure of them starting school? Mr. Cordero, Okay so right know we fall under the 25 for every 100k mark school is in the purple and can now reopen TK – 6<sup>th</sup> Grade after submitting a comprehensive, it's not comprehensive I'm sorry it's a Covid-19 Safety Plan in addition to that there is also the Covid-19 Prevention Plan that was submitted for Cal-OSHA and all businesses needed to submit so those 2 plans together create a safety plan. That's one of the steps school districts would need and we also need a reopening plan that needs to be completed. To complete the reopening plan, we need we need to work with out personal to make sure that working conditions are acceptable for them to be able to return to work. Mayor Beltran, do you have more of a time frame when both plans will be ready? Mr. Cordero, We are meeting with our association. We are in the process of completing the check list which is the 2<sup>nd</sup> part to complete the safety plan and in doing so we need to continue to meet with our staff to make sure that everybody and we are in agreement as to some of the protocols that we would like to

implement for a safe return to school. Mayor Beltran, Okay. Mr. Cordero, But you know that returning to or reopening for in-person instruction (inaudible) We have all the protocols in place. We have the PPE the safety procedures the safety materials the H-vac upgrades but now we are in the process of seeing how we can bring in the students and what they need as far as time frame as far as hours for the schedule of time frame for the day that would be the safest for them and for our staff. Mayor Okay. Mr. Cordero so right now I don't have a timeline other than we continue to work towards opening and safely reopening our schools, but I didn't want the council to misunderstand the letter. The letter wasn't very clear and the news release wasn't very clear that this was only one part of a series of steps. Mayor Beltran, Okay thank you for the information. Mr. Cordero, For the parents that are out there you should be receiving a letter and also on Facebook there is a letter that I have sent out, and one will be posted at the post office. Mayor Beltran, okay sounds good. Thank you, Mr. Cordero.

#### Discussion/Action:

Discussion/Action: Best STEP Forward in partnership with SDRC requesting permission from the City of Westmorland to set up at the city park near the shaded area for drive thru COVID testing on Sunday, February 21, 2021 from 10 am - 12 noon – Presented by Mayor Pro Tem Xavier Mendez & Jacqueline B. Riddell. Ms. Riddell Hello City council members, city mayor, city manager team Jacqueline Riddell for Best Step Forward Team out of Calipatria we provide services for the special need community for the whole imperial county basically do parks and recreations and fun activities to provide opportunities for the kids. We have partnered up with San Diego Regional Center we are working to see about providing the covid testing here in Imperial Valley with a few other agencies. Me personally will be handling the north end. Calipatria, Westmorland, Brawley, Niland. My resources actually allow me to go into people's homes as well if it is required. What we will be doing is a self-administered testing it's a very simple test. Not like those like you get when you go into the doctor's office where the swab is deeply inserted into the nasal cavity. It is a nostril swab that is circled in the nostril for 5 seconds each, and then we will handle the custody and control of the test kit, we mail them out. I was hoping we can come in on Sunday the flyer has not come in yet but as soon as we receive that I will get that to you. City Clerk- pointed out sample flyer. Ms. Riddell the flyer is Calipatria but will be changed to you guys. It will be basically be the same thing and as one of the calipatria board members suggested that it be staged at your guy's park because its practical and centered in the town. Also, I need to ask permission if you guys allow us to use your guy's park if we can possibly move it from 10am to 2pm the reason being I actually have to mail out the test kits with in 24hrs of administered. So, if its to early I miss my window to mail out the following day. So, if we can move it from 2-4pm instead of the morning. Like I believe it's a great opportunity for our SCRC clients and our north end under served communities its an awesome thing and that's what we're trying to do like myself and awesome people like even Darlene, Hi, Darlene who are trying to bring necessary resources to your guy's town. So yes, we are very happy to offer our services with your guy's permission. Madam Mayor stated I have a question I don't know if you mentioned it or not. You said your going to mail them out how long will it take to get the results? Ms. Riddell it takes about 3days after being mailed out. It's a 1-

day transport and 3 days for the clients to receive the results. **Motion to approve time change and covid testing by J. Rivera and Second by Xavier Mendez AIF Motion Passed**

Discussion/Action: Approval on Resolution No. 21-03-Ana Beltran/Mitch Driskill Mr. Driskill as I understand it from time to time, we have to renew thy authorization for collected administer funds for thy waste recycling and this is the authorization to do the we adopted these resolutions in the past I think we did in 2016. That's my memory. **Motion for adoption of resolution no. 21-03 by J. Rivera and Second by X. Mendez AIF Motion Passed**

Discussion/Action: Discuss the possibility of the City receiving payments through Electronic Funds Transfer (EFT) instead of warrant – Mayor Ana Beltran mentioned she didn't receive the information. City Clerk stated the email was in the packet. Madam Mayor did they send it to you because I didn't see it. City Clerk Yes, and to the response I asked Jeanette because she's the one that referred it. I couldn't get them to come on the call. I believe Mr. Gutierrez is coming back on the call now. So after talking to Jeanette, she clarified that it's mainly instead of the warrants having to be approved and they have to cut a check and it has to go thru a bunch of other processes for the state to be able to direct approve and route those funds instead of having to go to Jeanette to get deposited and Jeanette having to go to the bank and direct the funds. It would go in to the account to were it was supposed to be allocated is how it was explained to me. Madam Mayor asked did she say how much it would cost? City Clerk she never gave that amount she just said it was something they provided so it's something like a direct deposit. Mrs. J. Cruz asked is this from the state? City clerk Yes its from the state. Madam Mayor if they're going to charge, we need to how much. We can table it for now so we can get more information. We can't approve anything we don't know that we are going to get charged on and once we get a number, we can make a decision then. **Tabled for more info**

#### Staff Reports Non-Action:

Treasurer Terri Nava- I don't have anything to report Mitch and I have a meeting this week so we can go over the items that are needed. I believe Mitch myself and Jeanette or accounts can meet so I can get what it need.

City Clerk Darlene Berber – I just attended a Nuts-and-Bolts workshop for city clerks. Everything from going over the 700 forms to the brown act to all delegated work a city clerk is required to do. On the state level to with our direct city council members. I just want to thank you madam mayor and the rest or the council for allowing me the opportunity to take that class. There should be a \$25 rebate coming towards the league of city's membership fees because we paid \$25 for that class, but it was supposed to be free because we are members. Madam Mayor, said Okay! City Clerk stated I won a prize from amazon a Groove prize they called it because the theme was 70's so I dressed up came to work and hide in the back. (all laughing) but it was very educational it was a 5-day class for half a day there was a lot more information but I don't want to take up the

whole agenda time. Just want to let you know I am grateful for the knowledge that was presented and was well worth the time and will definitely benefit the city. Madam Mayor I'm glad to hear it. X. Mendez Thank you Darlene.

Water Clerk Alice Rosas- Madam Mayor asked did Alice have something to report. City Clerk stated It is in your packet I can read it or you can read it. Madam Mayor said yes please. City clerk reads letter on behalf of Alice, Go News we can now pay the water bills using our debit and credit cards using the software Transact please contact Alice for your account and more information. End of letter City Clerk stated pretty much the set-up can be done over the phone or in person pretty much so she can get your information to be able to continually bill your account by autopay. It's an autopay it's been in place to pay but this will be auto pay which wasn't an option before. I know for myself I would forget to pay the money was there but Alice has worked out the kinks and has mastered the system is already to take more request sign ups with confidence.

### Council, Staff & Consultants – Discussion and Action

Discussion/Action: To close driveway entrance to City Hall on 1st St. next to Little Citizens Park- Joel Hamby Madam Mayor and Council members I heard there was a wish for a proposition to close off a drive on the south side of the park where it joins the park and the little citizens, where there is a park grant being applied for some of the improvements would include that and since street jobs will be coming up and concrete work is done there that issue needs to be addressed I don't know if City Attorney wants to chime in here but I believe with a public access point is being closed off its probably at least prudent for the legislative body to take formal action to shut that off. I know its currently not a highway its not an alley but it is a traveled way that is used perpetually and instead of just shutting it up and shutting it off it might be wiser to take a public step and as a body so that can be formalized. J. Cruz asked what is the purpose for shutting it off? Because I use it all the time. Ms. Nava said Well X. Mendez there are other entrances there's this one and that one (pointing at the center street and 2<sup>nd</sup> street) J, Cruz Yeah but I'm asking what is the reason because people use it all the time? T. Nava because the parks grant, we are applying for we don't know if we're getting it yet of not but were thinking on a positive note. What were thinking is that will be a walk path that will go around the whole block, and kids are going back and forth from the basketball to the kid's area there is also going to be other things like exercise equipment. M. Driskill so the whole south end of the plaza would be park? T. Nava Yes, correct. J. Cruz in other words you're expanding it and need the drive way. T. Nava No in other words we want to make it safe. Honestly when I used to work here many years ago, I would see kids dart in and out of there and cars would come in and kids would be (shocked face made) J. Cruz stated but they do it over here to! X. Mendez sated from the basketball courts to the playground to the basketball court. J Rivera states I think it makes more sense since it is a smaller kid's playground. T Nava stated that was a suggestion I had mad I wasn't saying close it off I spoke with Mr. Mendez. Madam Mayor stated they have talked about closing it off before with Ramiro and with the concrete coming up it's a liability of the city. X Mendez stated he had citizens ask why don't we put a picnic area in that area, so you know. T Nava stated We are still deciding. X Mendez Yes, we are still deciding. T

Nava so Mr. Hamby to answer your question it was requested of myself and Mr. Mendez for the safety of the children and to expand the park area. Mr. Hamby well I certainly understand that that makes sense from that aspect but since the street project is coming up soon, we needed to know for sure so we would not do the concrete for a drive way if it was there if it was intendedly close that was the factor that I need to deal with but also, I am aware of the right of public to use a way even if its not a street or alley or path way, but city council certainly has the right to close that off. Mr. Driskill well I think it is wise for the council to probably have a public hearing (to much cross speaking inaudible) Mr., Hamby we are doing a design I just want to make sure we are doing the right thing on the plans. So, there's a provision for open and notorious occupation traveled ways and so forth. Mr. Driskill SO the problem is usually you have issues that have to do with easements or other sorts of property interest and non-property interest it would have to do with the use of property that be used as licenses easements a lot of different things. You usually use when you want to use or do something on land that belongs to somebody else but the city in those case owns the land. This is all city land. T. Nava Correct me if I'm wrong this is not a street or and alley this is just a drive way it just a piece of land somebody opened up and just started driving on it is what it seems like to me. Mr. Hamby Well whatever city council decides we'll implement that in the project plans is alright with me because concrete will be poured either way. Madam Mayor so if the motion is yes, we will have a public hearing. Motion is Yes with a public hearing X Mendez asked with the public hearing will that delay terries deadline Ms. Nava I'll go with what ever Mr. Hamby decides. **Motion is made by J Cruz and Second by J**

**Rivera AIF Motion Passed**

(discussion on plans and specs)

Discussion/Action: To consider/approve Westmorland school's rate review request – Joel Hamby Thank you Madam Mayor I have included the rate adjustment sheet Alice printed out the last 2 years of water reads and I reviewed those and considered what they have been paying and vs what they been using of what they would have paid. You can see some of that on the table has what they are currently paying based on the square footage of the 2-school campus when took the water use for the 2yrs for the average monthly use came out to be 42,000 gallons a month they are currently paying 127,000 gallons a month on the average use is 277,290 gallons a month which is much higher. I had talked with them once or twice before and suggested that they try and irrigate that with canal water, and I think they are considering that now. Their low use for that campus was 8,000 for about 3 months. What I did was I took the low use for the elementary campus multiplied it by 3 plus it came out to the average monthly use per campus 42,000 on the sheet. On the other campus I took the low use and multiplied it by 3 and it came out to 21,000 based on their low use. So, city attorney advised my on making a special provision to that would wave the requirement. So, in this calculation they would be paying a little more than they're actually using and on there very low months and on the other campus they will be paying what they actually use in both situations and this will give them a reduction. City Attorney stated just to be clear the school district is going to be paying for water and sewer based on the rate structure as everyone else. This is an administrative review of the EDUs for those rates to make it more closely aligned their actual usage. I say so everyone understands the school district is not getting a special rate or a different rate they are

getting the same rate as everyone else. What we are talking about is the way that is applied and the methodology in calculating that rate to the rate schedule that the council adopted. Mr. Hamby stated those rates are still based on three factors and multipliers on the ordinance that is applied to schools. And the cost of the water is the same on the EDUs as the same as a commercial business pays the only distinction is instead of having to pay a larger amount and having to pay for a square footage calculation they will be having to pay for their actual use. Are square footage calculation could still be high that calculation reading was taken in 1999 and I don't think we applied the figures to the school at this time. Anyhow I believe Mr., Cordero will be probably pretty happy with that. Madam Mayor thank you Mr. Hamby for taking to time to meet with him. **Motion to approve the Westmorland schools rate review request by X. Mendez Second by J. Cruz AIF Motion Passed**

Discussion/Action: To authorize advertisement of Phase 3 Street Improvement Project for bids. –Joel Hamby thank you madam mayor again BJ engineering has been working on the plans and specs. For the project and I mentioned early I intend to with council approve on march the first and then receive bids. March 1<sup>st</sup> would be the advertising day and march 29 or march 30 will be the opening week and then the following week April 7<sup>th</sup> will be brought to council for award we are very close to having everything finalized a minor detail will go into the specs and it will be ready to be put out to advertised. I have a set of the plans I can leave here with a set of the plans here at city hall incased council wishes to look. Currently the estimate for the work for council directed me to prepare is about \$253,000 I asked BJ engineering to give an additional engineering to give an additional estimate for 2<sup>nd</sup> street from center street to the school and since school is out no pedestrian traffic it might be prudent to ahead and do this project. We still have 3<sup>rd</sup> street to do and D st to do this side of town but 2<sup>nd</sup> street is where a lot of foot traffic happens and all cars congregate at that intersection and if council approves that the estimate to do that is \$30,000. So that would be an additional 30 making a total of \$325,000 and I will furnace a copy of the estimate and a copy of the street estimate and specs for review. I believe I also provided an invite for inviting bids to advertise on next Monday hoping to get it back to council back by the second meeting in March 17, 2021 but I think it's a little crunching what needs to be done yet to wrap up the paperwork. The current schedule and target date and the reason it here tonight is because if we advertise on march 1<sup>st</sup> that will be before the next council meeting. J. Rivera asked if the council is okay with the additional \$30,000 (yes and nodding) **Motion to approve the advertisement of phase 3 street improvement project for bids by J. Rivera Second by R. Gutierrez AIF Motion Passed**

(Mr. Hamby added now there are some finial details that have to be taken care of as I said also the current estimate may have some fine tuning but it should be still within this range 330 -350 thousand so I will arrange to have that info here at city hall)

(Mr. Driskill asked is this the A ram Mr. Hamby Yes, the same type of material that was done here recently and as before in 2004 that's still holding up quite well in most areas. Madam Mayor asked and on this one will it have that slurry on the top of it. Mr. Hamby it has the rubberized asphalt with a small aggregate on the top of it. Madam Mayor Okay so it looks set nice. Mr. Hamby its grainy its not smoothed if council wishes we could add what's called a slurry coat but from my view point I think that what they call it a pitch

coat what it is they spray on a coat of oil and then add what they call ruff dust which is a fine granule material. You can drive over to C street up to 7<sup>th</sup> and J street. Its not a skateboard street but if council wishes for a slurry coat but what happens with a slurry coat is eventually it starts cracking a little bit and starts flacking off and the street sweeper has to pick up that dusty material. It would be nice to have skateboard areas for the kids but its probably safer is its not on the street so that would kind of prevent that and it seems to have served quit well. That's my view point or recommendation anyway. Mr. Driskill as you may recall we had this conversation on phase 1 and 2 a contractor was pushing for the slurry coat but this like Deja vu we had this conversation before. Madam Mayor Well I forgot about that one but if you look at the last project, we did that one looks really nice. Mr. Hamby stated C st from hwy 86 to 7<sup>th</sup> and from 6<sup>th</sup> st from C st J st from 7<sup>th</sup> to 8<sup>th</sup> street was also done.

Discussion/Action: Approval for surge tank for fire truck 6121 not to exceed 800.00- Michael Ginnis good evening upon inspection about a week and a half ago Jackie discovered a water leak on our engine which is the actual coolant which is the coolant on the motor at first, we thought it was the radiator cap but then come to find out it was the actual surge tank is cracked and disintegrated. It's a dealer only product luckily, we have a Kenwood dealer in the valley. Its part of inland Kenwood out of San Diego and if we can set up an account set up and if we get an account, we can get a lesser price. Madam Mayor sounds like its better to set up an account and if you don't have to go outside of town or imperial valley to have the truck serviced, Mr. Ginnis well there is some more stuff that might have to be done but that's on the fire side but for the truck itself and the components of the Kenwood side of it would be better to setup an account it would be better to see if we can get a better price or see if it's cheaper than an auto parts store like napa and stuff. Madam Mayor you can get with jeanette on this. Mr. Ginnis I will actually forward you the credit app. Madam mayor go ahead and just send it to her. She took care of the one for Lowes to see if she could put that information in, Mr. Ginnis Right but for now not exceed \$800 should be good, but as I stated if we get this done it could be cheaper. J. Rivera asked what's going on with the fire truck have you giving us an update? Mr. Ginnis on that other truck we were not awarded it. One of their neighboring departments actually came in \$4,000 higher there was nothing in the ad that there was abiding or best offer. That was kind of thrown in 5 minutes before the close of it Friday at 5pm and the salesman we were working with it was actually a shook to him because he has getting ready to make a call to us because he's excepted everything, and the fire chief from Keyes fire department district contacted and said no they actually have one for 4,000 higher but it was actually a neighboring fire department up there that was in need of it so. Mr. Ginnis, we do still have the offer on the table I know there was some talks of a money issue on that end I'm probably going to call them Friday and take our offer off the table at this time and we'll get with you guys later of our plans on what we want to do and how we want to move forward and get a game plan together. Motion to approve the purchase of a surge tank and for fire department to forward the app. For Kenwood to bookkeeping by J. Rivera Second by (council asking questions about where the money will come out of. comment by Terri Nava are you guys talking about using the CHIRP account? Mr. Mendez Mayor Pro Tem asked what going on with the CHIRP account. T. Nava Well the CHIRP account funds have been intermingled with the CDBG

funds and Mitch we had discussed about a year ago that we were going to separate them to insure that. Madam Mayor I wasn't aware that Chirp was intermingled with CDBG. Ms. Nava well last year I had come before you because when I started to balance out the CDBG and I don't mean to throw a wrench in any bodies. Council No we need to know We need to know! Ms. Nava So in speaking to your past treasurer she was giving me the report of the CDBG and the CHIRP account and everything was being reported CDBG so funds were being reported to CDBG as a whole and I haven't seen the reports in months. Madam Mayor well I know that Denise and Jeanette have been working hard to get the accounts in order and have been reported everything, and I thought CDBG is already on its own? Mr. Driskill and Mayor Pro Tem Mendez stated Me too. Ms. Nava well like I said I haven't seen the accounts in a while so I. Madam Mayor I believe those were the first ones they were working on right, Mitch? MR. Driskill replied I couldn't tell you. Ms. Nava remember last year I asked if we could spend the Chirp money last year sometime I don't know if you guys remember, but I remember someone came before you and asked if they could spend the chirp money because it was just sitting there it hadn't been allocated and wasn't part of CDBG and I said wait a minute everything has been reported to CDBG to one account. So at what point where the funds separated? And I just get anxiety when things get comingled because comingled is not. Madam Mayor Well we'll get with Jeanette tomorrow on that. Ms. Nava Yeah because I just want to make sure before we start spending money. Madam Mayor from my understanding it is completely separated, but we will get clarification tomorrow. Mayor Pro Tem Mendez so are we going to pull the money from the general fund or what? Ms. Nava Sorry. (inaudible to much cross talking) J. Cruz stated it should come out of the fire department out of their budget. Madam Mayor question to Mr. Ginnis Do you have that in your budget. Mr. Ginnis, I don't know we don't have that in our expenditures for truck repair under a line-item no. J Rivera for maintenance? Mr. Ginnis Well that would have to go on the next budget. We will have to put it on for the next one. Mayor Pro Tem Mendez how much is in your account right now? Mr. Ginnis I have not seen a report in two years. Mayor Pro Tem Well find out how much money is in that account? Madam Mayor Yeah, we need to find out how much money the fire department has. Mr Driskill So we will take a look at that. Madam Mayor so we'll pull from the general fund and look into the fire department funding's and find out what the fire department can fund. Mayor Pro Tem And have the general fund reimburse from what in that account. Mr. Ginnis Well the account is the general funds. Madam Mayor well we will find out tomorrow. Mr. Ginnis well it's the same thing the general fund and the budget if the same fund. J. Cruz and Mayor Pro Tem stated No. Mayor Pro Tem No the fire department has a budget. Mr. Driskill the money that is to pay for expense for the fire department is sometimes reflected on a budget and it all comes out of the general fund but is not segregated fund or an earmark fund its just money we think the fire department is going to need for operations and we say we think it's going to be this much and we put that in the budget. Madam Mayor what happened to the capital improvement funds that come in every month? Mr. Driskill that has nothing to do with the fire department if the capital improvement is for water and waste water. Mr. Ginnis there is a revenue for the fire department. (to much cross talk to differentiate) **Motion to approve the purchase a surge tank from inland for engine 6121 by J. Rivera Second by R. Gutierrez AIF Motion Passed**

Discussion/Action: State Parks and Recreation Resolution No. 21-04 –Teri Nava  
**(Tabled) till next meeting**

Consent Agenda:

Approval of Minutes for February 3, 2021, and City Warrants. Motion to Approve by J. Rivera Second by J. Cruz

Closed Session:

Discussion/Review-Public Service Employees Job descriptions and salary scales, as well as Appointment, Employment, or evaluation and possible management position (Gov't. Code §54957(b)(1).)- Council

**City Council adjourned into Closed Session at 6:59pm adjourned back into regular meeting at 8:21pm Nothing to report from closed**

Motion to adjourn this meeting at 8:21pm by Motion by X. Mendez Second by J. Cruz AIF - Next regular meeting in March and will be held on Wednesday 3<sup>rd</sup>, 2021.

/s/ Darlene Berber

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Darlene Berber, City Clerk

/s/ Ana Beltran

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Ana Beltran, Mayor

Submitted for Approval 3/17/2021

Approved