

MEETING MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF WESTMORLAND FOR April 1, 2020

The City Council of the City of Westmorland met in regular meeting in City Hall on Wednesday, April 1, 2020 at 6:00 PM. Mayor Ana Beltran called the meeting in order at 6:00 PM and Councilmen Henry Graham led the invocation via telephone.

Present at time of roll call: Council members Mayor Ana Beltran, Larry Ritchie, Justina Cruz, due to the stay home notice council meeting is not open to the public and some Council members are on via telephone, councilmen Henry Graham, and Xavier Mendez, also present were City Attorney Mitch Driskill, City Clerk Judith Rivera, Chief of Police Perry Monita, Westmorland Fire Department Michael Ginnis

Oral Communication:

1) Councilmen Larry Ritchie stated that about a week ago ICTC cleared the City and will no longer be holding any payments due to the City, they will be mailing the City the \$400,000.00 Larry also wanted to Thank everyone who has been working very hard to get everything they requested. 2) Ana Beltran asked councilmen Henry Graham to discuss the business application received from Spread the Love Charity a nonprofit organization. Spread the Love Charity is asking the City to waive the business license fee, Mitch Driskill City attorney stated they are exempt by the IRS, Council agrees to waive business license fee. 3) Richard Cordero Westmorland School District Superintendent was via phone informed City Council that as of 5:00 pm on April 1st all school facilities will remain closed for the remainder of the school year for all Imperial County Schools. Distance learning will continue for the remainder of the 19/20 school year. He also informed that chrome books and free Wi-Fi will be provided to students and families in need to continue with the distance learning, breakfast and lunch will continue to be available to everyone 18 years and younger until the end of July. 4) Ana Beltran had a message from one of the City residents Ms. Edith Woodring who wanted to thank Police Chief Perry Monita for going by and checking up on her.

New Business:

Moved up item 6 to first item Discussion/Action Proclamation proclaiming April as Autism Awareness Month and April 2nd as World Autism Awareness Day; Participate in Light it up Blue – Ana Beltran: Mayor Ana Beltran read the Proclamation proclaiming April as Autism Awareness Month. M – Larry Ritchie approval of Proclamation proclaiming April as Autism Awareness Month as stated above S – Henry Graham M/C.

Public Hearing: Love’s DA Amendment Hearing – Joel Hamby: Mr. Hamby was not available, City attorney Mitch Driskill stated that as you recall part of the development agreement with Love’s is that there is a provision for Love’s to recapture a portion of the funds that were used to make offsite improvements because those are improvements that would have otherwise made by the City at the time of the agreement there was an engineered estimate of about 3.5 million dollars. There is now an actual cost the

amendment to the agreement to substitute the estimated cost of 3.5 million dollars to the actual cost of 2.7 million dollars the effect of the amendment to reduce the reimbursement to Love's. Mitch also stated that it was discussed with Mr. Hamby that due to the stay at home order they are asking to continue the public hearing to the next meeting to allow the public to participate by phone, or email, Notice has been posted. M – Larry Ritchie to continue and open public hearing to the next meeting April 15th S – Justina Cruz M/C.

Discussion/Action to Approve 2013 TDA Audit Report – Ana Beltran: David Rosales with Hutchinson and Bloodgood LLP was available via phone stated council had copies of the audit report for their review. M – Larry Ritchie to approve TDA 2013 Audit Report S – Justina Cruz M/C

Discussion/Action to Approve 2017 and 2018 Financial Statements (Compilations) – Ana Beltran: David Rosales with Hutchinson and Bloodgood LLP was available via phone provided copies of the 2017 and 2018 financial reports for Council to review. M – Larry Ritchie approval of 2017 and 2018 Financial Statement S – Henry Graham M/C.

Discussion/Action EOC Fire Department MS jackets not to exceed \$1,700.00 – Battalion Chief Ginnis: Michael Ginnis present at the meeting stated that these jackets are required from the County to protect them from the COVID 19 and any other infectious disease. He stated there is a possibility to be able to get reimbursed for items. M – Henry Graham approval to purchase out of the CHRP account S – Larry Ritchie M/C.

Discussion/Action EOC Fire Department Gear Extractor not to exceed \$6,000.00 Battalion Chief Ginnis: Michael Ginnis falls with the above item the extractor is a must needed to be able to decontaminate their gear. M – Henry Graham approval to purchase gear extractor not to exceed \$6,000.00 to be paid out of the CHRP account. S – Larry Ritchie M/C.

Old Business:

Discussion/Action Declare Violation of City Ordinance and Nuisance for Escobar Property – Henry Graham/City Attorney Mitch Driskill: Mitch Driskill city attorney asked for motion to take action. M – Larry Ritchie direct city attorney Mitch Driskill to take action regarding the Escobar property. S – Justina Cruz M/C.

Discussion/Action Initiate preparation of plans and specifications for Street Improvement Plan, Phase III; direction to BJ Engineering – Mitch Driskill: City attorney Mitch Driskill stated they have reviewed a plan in order of what street improvements needed to be done. Public Works Director Ramiro Barajas will drive around with City Mayor Ana Beltran to see what needs to be done. Item will be brought back at the next meeting.

Council, Staff & Consultants – Discussion and Action:

Discussion/Action approval to Purchase Forklift Attachment for Backhoe – Ramiro Barajas: Public Works Ramiro Barajas available via phone presented Council with an

estimated cost from Empire for a forklift attachment for the backhoe. M – Larry Ritchie approval to purchase attachment not to exceed \$1,400.00 S – Justina Cruz M/C.

Consent Agenda:

Approval of Minutes for September 20, 2017, March 12 (special) and 21st 2018, March 4, 2020 and City Warrants: M – Larry Ritchie approval of March 4, 2020 meeting minutes and City Warrants S – Justina Cruz M/C.

Closed Session:

Public Employee Appointment, Employment, or Evaluation (Gov't Code §54957(b)(1).) – Council:

Council adjourned into Closed Session at 6:37 PM readjoined back to regular meeting at 7:06 PM. With nothing to report.

M – Justina Cruz to adjourn this meeting at 7:06 pm S – Larry Ritchie Next regular scheduled meeting will be held on Wednesday, April 15, 2020.

/s/ Judith C. Rivera

Judith C. Rivera, City Clerk

/s/ Ana Beltran

Ana Beltran, Mayor