



# IMPERIAL VALLEY FOREIGN TRADE ZONE

IMPERIAL COUNTY WORKFORCE AND ECONOMIC DEVELOPMENT • 2799 S. Fourth Street, El Centro, CA, 92243

## MEETING MINUTES

Wednesday, July 15, 2020 @ 1:30 P.M.  
Zoom Meeting

### PROCEEDINGS

A meeting of the Imperial Valley Foreign Trade Zone – Joint Powers Authority (IVFTZ-JPA) was held on July 15, 2020 @ 1:30 P.M. utilizing the Zoom meeting application due to the coronavirus pandemic. Members of the public were encouraged to submit their comments via email prior to the day of the meeting.

### ATTENDEES

#### *JPA Members*

City of Brawley  
City of Calexico  
City of Calipatria  
City of El Centro  
City of Holtville  
County of Imperial

#### *Primary*

Miguel Figueroa  
Romualdo Medina  
Adriana Nava  
Nick Wells

#### *Alternate*

Gordon Gaste

#### *Consultants*

(None)

#### *Coordinating Staff*

I.C. Workforce & Economic Development  
I.C. Workforce & Economic Development  
I.C. Workforce & Economic Development

Priscilla Lopez  
Jade Padilla  
Tyler Mayo

#### *Other Invites*

None



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## MINUTES

### *I. Call meeting to order*

- a. Roll call.

Meeting was called to order by Adriana Nava at 1:36 P.M. Roll call was performed by Jade Padilla with five (5) JPA members present; it was determined that quorum was met.

- b. Approval of 03/05/2020 minutes.

N. WELLS motions to approve the minutes as presented. R. MEDINA 2<sup>nd</sup> the motion. **Vote:** 5 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

- c. Approval of 06/18/2020 minutes.

ADRIANA NAVA noted a type in Section J, which is to be corrected prior to posting. M. FIGUROA motioned to approve the minutes. A. NAVA 2<sup>nd</sup> the motion. **Vote:** 5 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

### *II. Discussion/direction/action/update*

- a. Discussion of options and approval of the IVFTZ #257 FY 20-21 Budget.

J. PADILLA presented the updated budget expenditures for FY 19-20, the originally proposed FY 2020-2021 budget, and three additional budget options. Budget Option #2 was noted as identical to the original option with the exception of reducing the marketing material and workshop line items per the comments received; which were both reduced by 50%. Option 3 provided 25% of membership fees be contributed from the Year End Balance. Option 4 provided 25% of the Year End Balance be contributed to the membership fees based on the fair share percentage as applied in the bylaws. J. PADILLA also informs the members that there was an error in Option #3. The City of Holtville does not show their 25% of membership fees covered by the Year End Balance. This will be corrected if the JPA selects Budget Option #3. R. MEDINA noted that he would prefer the option with less of an impact to their city budget. A. NAVA identified that this would be Option 4. It was then asked if P. LOPEZ had any recommendations, to which she suggestion Option 4 with the inclusion of language added to the bylaws to allow for flexibility in applying the usage of the balance in the future. J. PADILLA noted that the bylaws to be presented later in the meeting include draft language for Options #3 and #4 should they be selected by the JPA. It was also pointed out that Option 4 included additional policy language for the 25% Year End Balance application.



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JADE PADILLA also noted that direction will need to be given by the original JPA members (City of Brawley, City of Calexico, City of Calipatria, City of El Centro, and County of Imperial) to expend the \$0.01 remaining in the Original Member Credit Balance. The policy for these funds notes that the credit shall be contributed to membership fees until depleted unless the original members agree on its usage. As \$0.01 cannot be evenly shared between the members, direction is needed for determining its usage. After a short discussion of options, R. MEDINA motioned the \$0.01 remaining in the Original Member Credit be contributed to the City of Holtville's membership fees. M. FIGUEROA 2<sup>nd</sup> the motion. **Vote:** 4 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

Discussion then continued regarding the budget options. Option #4 was still identified by the JPA members present to proceed. A. NAVA asked if the JPA would be able to approve the budget prior to approving the revised bylaws. P. LOPEZ noted the bylaw revision was included in the day's meeting agenda and may need to be approved prior to proceeding with Option #4. A. NAVA suggested they continue with the meeting proceedings and return to the budget item after approving the bylaws.

b. Approval of the FY 20-21 Meeting Calendar.

J. PADILLA presented the meeting calendar with the time change per direction given during the previous FTZ meeting. A. NAVA asked the JPA members if there were any comments; to which none were presented.

R. MEDINA motioned to accept the meeting calendar. N. WELLS 2<sup>nd</sup> the motion. **Vote:** 5 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

c. Approval of the revised IVFTZ-JPA Bylaws.

P. LOPEZ and J. PADILLA presented the revised bylaws; noting that the areas highlighted in yellow were revisions made based on the March 05, 2020, FTZ meeting. Additionally, under Article 7 language for Budget Options #3 and #4 are present in red font. A. NAVA clarifies the Option #4 language would need to be included based on the budget discussion.

Upon review of the budget options, there was concern shown among the JPA members regarding the Fair Share contributions in Article 7 as it includes the City of Westmorland and the City of Imperial. R. MEDINA asks if there was interest from these cities in becoming part of the JPA. He also asks if there is an entry fee and inquires if the City of Holtville (as the newest member) paid an entry fee. N. WELLS stated that the City of Holtville only paid the annual membership fee. J. PADILLA noted it was requested to



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include the other cities in the bylaws so they will not need to revise them every time a new member joins the JPA. A. NAVA requested clarification on how the fair shares in the bylaws will effect the Budget shares. J. PADILLA explains there will be no effect as the policy in the Budget Option #4 notes the Year End Contribution will only apply to active members and the percentages of active members were shown on the budget sheet. There was a brief discussion among the members that ultimately led to an agreement that the additional cities should be removed from the bylaws. N. WELLS asked if we can add another column for future membership. P. LOPEZ conveyed her understanding of the concerns that percentages in the draft bylaws do not represent a true “Fair Share” as it includes the additional cities that are not members of the JPA. R. MEDINA expressed his discomfort with including these cities in the bylaws without having them as members. He proceeds in suggesting the need to act in the bylaws as inclusive membership and amend the bylaws should those cities commit to joining the JPA with an M.O.U.

Upon continuing discussions of the bylaws, P. LOPEZ noted a typo in the draft language for the Budget Option #4 language in Article 7 to be corrected if approved.

ADRIANA NAVA motions a revision to remove Imperial and Westmorland from the bylaws, change the “Fair Share” percentages, remove Option #3 language, and include Option #4 language to approve the bylaws. N. WELLS 2<sup>nd</sup> the motion. **Vote:** 5 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

- a. CONTINUATION: Discussion of options and approval of the IVFTZ #257 FY 20-21 Budget.

Upon approval of the revised bylaws, the JPA returned to Item a. Discussion of options and approval of the IVFTZ #257 FY 20-21 budget. M. FIGUROA motioned to approve the budget as presented in Option #4. A. NAVA 2<sup>nd</sup> the motion. **Vote:** 5 in favor, 0 against, 0 abstain at the time of the vote. **Motion passed.**

- d. Discussion regarding request for FTZ storage space.

P. LOPEZ presented the item, noting that this was not the first time she was contacted by a company who wanted to use an IVFTZ Zone as a temporary storage space. J. PADILLA clarified, as the IVFTZ structure is now an Alternative Site Framework, there are no available IVFTZ Zones to utilize. Therefore, the only space available that could be used are the active zones with operators. P. LOPEZ noted that the question is now whether the JPA will allow other companies to temporarily use active operator sites and if the JPA would be making the referrals. A. NAVA suggested the consultant be contacted for their input on the matter. J. PADILLA reminded the members that we are currently in the contract drafting process with a consultant and we would have to utilize our on-call consultant. A. NAVA expressed this item shouldn't take more than an hour from the



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consultant and this isn't likely to be a problem. The present members agreed on the direction given to contact ITC Diligence for their advisement.

### **III. Future agenda items and other business**

J. PADILLA informed the JPA that the consultant contract with IMS Worldwide was still in the process as IMS had some issues regarding the additional insurance requirements. She also noted that the Vertiv Operator's Agreement is still pending.

No other items were requested to be included as future agenda items.

### **IV. Next meeting date**

The next meeting date and time was scheduled for September 16, 2020, at 1:30 P.M. to be held either in the City of Brawley or on Zoom. A. NAVA asked how urgent the Vertiv agreement was and if it could be postponed for that long. J. PADILLA informed the JPA that they were very eager at first, but it took Vertiv a while to provide a response that they wanted to proceed with an operator's agreement. P. LOPEZ concurred, noting the item should be able to wait until September.

### **V. Meeting adjourned**

- a. Meeting adjourned at 2:28 P.M.