

**CITY OF BRAWLEY**  
**February 21, 2017**

The City Council of the City of Brawley, California met in a regular session at 6:00 PM, Council Chambers, 383 Main, Brawley, California, the date, time and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. §54954.2.

The meeting was called to order by **Mayor Couchman @ 6:00 PM.**

**PRESENT:** Couchman, Kastner-Jauregui, Nava, Noriega, Wharton  
**ABSENT:** None

Invocation was offered by **Pastor Jim Doudy, Valley Baptist Church**

Pledge of Allegiance was led by **CM Wharton**

**1. APPROVAL OF AGENDA**

The agenda was **approved** as amended. m/s/c Nava/Noriega 5-0

Introduction of Brawley Police Officers Dean B Beckwith and Jon Dellinger tabled to March 7, 2017.

**2. PUBLIC APPEARANCES/COMMENTS**

a. **Gil Rebolgar**, Brawley resident, offered comments on when change is going to occur as the City is currently declining.

**3. CONSENT AGENDA** Items are approved by one motion. Council Members or members of the public may request consent items be considered separately at a time determined by the Mayor.

The consent agenda was **approved** as submitted. m/s/c Kastner-Jauregui/Noriega 5-0

**AYES:** Couchman, Kastner-Jauregui, Nava, Noriega, Wharton  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

- a. Approve Accounts Payable: February 2, 2017  
February 3, 2017  
February 8, 2017
- b. Approve City Council Minutes: December 21, 2016  
January 17, 2017
- c. Approve 2nd Reading of Ordinance No. 2017-01: Ordinance of the City Council of the City of Brawley, California Amending the Brawley Municipal Code to Change the Zoning Designation for Specified Properties.
- d. Authorize to Proceed with a Lease Agreement with AM Copiers Inc. for a Folding and Inserting Machine with a 60-Month Lease of \$325.00 per Month.

- e. Approve Travel of Fire Captain to Attend the Fire Mechanics Academy in Sacramento, California from April 2, 2017 through April 5, 2017.

#### **4. REGULAR BUSINESS**

- e. Status Update for One World Beef Located at 57 Shank Road.

**Jose Angel, California Regional Water Quality Control Board Executive Director** updated the City Council on the Wastewater Treatment Plant.

- 1) The City has an approved Pre-Treatment Program that took years to develop. The City is in full compliance with its implementation of it.
- 2) The Wastewater Treatment Plant is running well and has significant treatment capacity.
- 3) The request from One World Beef is well within the City's discretion to make a decision in a very short timeframe because the City has a sound Pre-Treatment Program and there is recourse in case things do not proceed as planned or as proposed.
- 4) It was news to the Regional Board that the City needed its concurrence. The City has the Regional Board's concurrence. If the City accepts OWB discharge, the loadings that the Wastewater Treatment Plant would receive are 20% of what National Beef was discharging is about 20%. It is noted that the City was in compliance the last two years of National Beef's operation. It was reiterated that the City has a sound Pre-Treatment Program to stop a discharger if they are causing a problem for the City you, including the issuance of fines.

**Armand Nicholai, Chief Financial Officer** stated his frustration at the City's slow approval process. It should only take minutes to approve the building and grading permits for the proposed onsite system. The new treatment plant has performed as stated by the Regional Water Quality Control Board. Millions of dollars have been expended to renovate the plant.

**Jack Holt, Interim Public Works Director** informed the City Council that the first initial review of the submitted OWB documents had been completed. A first initial review letter addressed to OWB was prepared on December 2, 2016 to critique the submitted documentation. The first initial review documentation forwarded for review was for wastewater treatment facilities - not a building. The first initial review letter requested that items typically accompanying a wastewater treatment facility design, including a hydraulic profile, process flow diagram, existing grading plan, new grading plan and process and instrumentation diagram be included with the improvement plans. It was requested the electrical improvement plans be stamped and signed by a Registered Electrical Engineer in the State of California. These were some of the items noted in the first initial review letter. Revised OWB review documents were submitted to the City of Brawley in mid-January 2017. The second set of review documents were missing information requested during the first review. The second document review letter dated January 25, 2017 reiterated the missing information requested by the first review letter.

**Hazel O'Campo, OWB Attorney,** requested a letter from the City outlining the steps to obtain a Temporary Discharge Permit and a Building Permit.

**CM Noriega** asked **CM Bayon Moore** for clarification on proceeding with next steps for OWB.

**CM Bayon Moore** stated that the request to discharge on a temporary basis to the City requires the submittal of information of the modified approach and timeframe in writing. With regard to the current set of Biofiltro plans, One World Beef is encouraged to follow-up with the plan check review comments made by the Public Works and Building Departments.

**CM Wharton** stated that the City Council will do everything within its ability to produce a successful compliant process to get OWB across the finish line. There is specific information the City needs in order to move forward with a Temporary Discharge Permit. The City would like to have productive partnership and communication with One World Beef.

**Mayor Couchman** expressed that he believes a clear direction for OWB and staff has been defined.

The following individuals provided comments in support/opposed One World Beef's request to discharge into the City's Wastewater Treatment Plant:

-Luis Olmedo, Brawley  
-Mike Doran, Brawley  
-Humberto Lugo, Brawley  
-Kristian Salgado, Calexico  
-Mariana Claustro, Brawley  
-Gil Rebollar, Brawley  
-Ryan Kelley, Brawley  
-Ron Fickler, Brawley

-John Hernandez, Brawley  
-Carleen Roberston, Brawley  
-Ernesto Mariscal, Brawley  
-Eric Reyes, Brawley  
-Steve Snow, Brawley  
-Sunday Morales, Brawley  
-Steve Snow, Brawley

**RECESS @ 8:00pm**

**RECONVENE @ 8:16pm**

- a. Discussion and Potential Action to Co-Sponsor the "Consulado Movil Event" to be Held on Saturday, March 11, 2017 and Saturday, September 23, 2017 from 9am-4pm at Del Rio Community Room.

The City Council **approved** the Co-Sponsorship of the "Consulado Movil Event" taking place on Saturday, March 11, 2017. m/s/c Nava/Noriega 5-0

- b. Discussion and Potential Action to Adopt Resolution No. 2017- : Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2016/2017 City of Brawley Budget for the Fire Department in the Amount of \$69,124.41 .

The City Council **adopted** Resolution No. 2017-07: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2016/2017 City of Brawley Budget for the Fire Department in the Amount of \$69,124.41, m/s/c Nava/Kastner-Jauregui 5-0

- c. Discussion and Potential Action to Authorize Resolution No. 2017- : Resolution of the City of Brawley, California Authorizing the Issuance of Pension Obligation Bonds to Refinance the Outstanding Pension Fund Obligation of the City to the California Public Employees' Retirement System, Approving the Form of and Authorizing the Execution and Delivery of a Trust Agreement, and Authorizing a Validation Action and Other Matters Relating Thereto.

The City Council **adopted** Resolution No. 2017-08: Resolution of the City of Brawley, California Authorizing the Issuance of Pension Obligation Bonds to Refinance the Outstanding Pension Fund Obligation of the City to the California Public Employees' Retirement System, Approving the Form of and Authorizing the Execution and Delivery of a Trust Agreement, and Authorizing a Validation Action and Other Matters Relating Thereto. m/s/c Kastner-Jauregui/Noriega 5-0

- d. Discussion and Potential Action to Accept the Audited Financial Statements for the City of Brawley for the Fiscal Year Ended June 30, 2016.

The City Council **accepted** the Audited Financial Statements for the City of Brawley for the Fiscal Year Ended June 30, 2016. m/s/c Noriega/Kastner-Jauregui 5-0

**5. DEPARTMENTAL REPORTS**

- a. Utility Users Tax Overview - Ruby Walla, Finance Director

**6. CITY TREASURER'S REPORT** None to report

**7. CITY COUNCIL MEMBER REPORTS**

**Noriega:** Attended Hidalgo Society Installation of Officers, Elks Raffle Dinner and First Friday Art Walk.

Inquired about potholes behind Rabobank and was informed that they had been filled with the exception of the ones in the parking lot which are on private property.

**Kastner-Jauregui:** Attended the swearing in of newly elected officers for the Senior Club, Farmers Market, the State of the County Address at the Old Eucalyptus School House and the Hidalgo Society Installation of Officers.

**Wharton:** Attended the Farmers Market, Carrot Festival, State of the County Address and Hidalgo Society Installation of Officers.

**Nava:** Attended the State of the County Address, Elks Raffle Dinner, Hidalgo Society Installation of Officers. Introduced concept of City installation of commercial meter installation to spark development interest within the Downtown Area.

**Couchman:** Attended the Farmers Market, State of the County Address, National Rifle Association Banquet, Hidalgo Society Installation of Officers, Pioneers Memorial Hospital Check Presentation, and the Swearing of new Brawley Police Officers.

**8. CITY MANAGER'S REPORT**

At last City Council Meeting **CM Nava** requested status on the Brawley Mobile Home Park:

- 1) The County's plan check for the replacement of onsite utilities is under review. A Site Plan submittal to the City of Brawley is anticipated.
- 2) As of February 10<sup>th</sup>, 2017, the County received 19 applications to the Tenant Based Rental Assistance Program. Two of the 19 applicants completed the second step.
- 3) Two of the applicants have completed the application process and only 1 applicant met the criteria of income eligibility to date.
- 4) No Brawley Mobile Home Park residents have received assistance from the County hosted program, but funding is available for individuals who meet the requirements.

**Eric Reyes** informed the Council that Louie Wong was not informed that he had to submit his Site Plan to the City of Brawley. Mr. Reyes stated to the City Council that no trailer homes were red tagged and that there are more than 2 mobile home park residents that qualify for the rehabilitation program assistance.

**Louie Wong** informed the City Council that he is waiting for Imperial County approve submitted plans for the Mobile Home Park.

**CM Bayon Moore** informed Mr. Wong that the City has explored many options for the Brawley Mobile Home Park site. City staff have also met with a number of parties indicating various development interests. The City is prepared to work in whichever direction the owners of the mobile home park decide to go.

**Francisco Soto, Building Official** summarized the process involving State standards to evaluate which units qualify for rehabilitation vs. replacement.

**CM Noriega** expressed concerns with regard to the qualification standards for funding assistance for residents at the County level and City level.

**CM Nava** conveyed to Mr. Reyes the possibility of having the City focus on putting interested and qualified residents through the Owner Occupied Rehabilitation Program in order to expedite the process of assistance.

**CM Bayon Moore** informed Mr. Reyes that there is approximately \$200,000 available for the City's Owner Occupied Residential Rehabilitation Program.

#### **9. CITY ATTORNEY'S REPORT**

- a. Updated Council on Senate Bill 415, informing them that the bill requires cities to move elections to even years. The City Treasurer position term ends November of 2019.

The Council **directed** the City Attorney to continue with the 2017 election process for the City Council and Utility Users Tax.

#### **10. CITY CLERK'S REPORT**

Provided a reminder of the Mayor's Breakfast on Friday, March 24<sup>th</sup> at Stockmen's Club 7:30am.

#### **11. CLOSED SESSION**

- a. EXISTING LITIGATION (California Government Code §54956 .9) Conference with Legal Counsel  
Name of Case: Brawley Oak Glen Land, LLC, et al. v. City of Brawley
- b. POTENTIAL LITIGATION (California Government Code §54956.9) Conference with Legal Counsel  
One (1) Potential Case
- c. REAL PROPERTY NEGOTIATIONS (California Government Code §54956.8) Conference with  
Real Property Negotiator  
Address: APN 049-023-007-000, 129, 135, 137, 139 and 141 South 8th Street,  
Brawley, CA  
Negotiator: City Manager  
Negotiating Parties: William Albert Haendiges  
Under Negotiation: Rate and Terms

- d. PERSONNEL MATTERS (California Government Code §54957) Public Employee Appointment to the Position of Public Works Director

**ADJOURNMENT** @ 9:45pm

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**Alma Benavides**, City Clerk