

**CITY OF BRAWLEY**  
**March 20, 2018**

The City Council of the City of Brawley, California met in regular session at 6:00 PM, City 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 Nava @ 6:00 PM**

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

Invocation was offered by **CM Hamby**

Pledge of Allegiance was led by **Tony Leon, Brawley Union High School Wrestling Coach**

**1. APPROVAL OF AGENDA**

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

**2. PUBLIC APPEARANCES/COMMENTS**

**Buz Schott of Spectrum Cable** stated that Spectrum is in a dispute over the cost of delivering NBC and CBS Channels in the Valley and is working hard to resolve that issue. Spectrum is bringing 1GIG broadband service to Imperial County. Brawley will be able to get faster and quicker broadband service. Spectrum is working with Tim Kelley and the broadband consortium to bring more broadband to rural areas.

**3. SPECIAL PRESENTATIONS**

b. Certificates of Recognition presented to Brawley Union High School Wrestling Team

The Brawley Union High School Wrestling Team and Coaches were presented with Certificates of Recognition and a video celebrating Coach Leon and BUHS wrestlers was featured.

a. Update on Upcoming 2018 So Cal Gas Project in the City of Brawley by Deborah McGarrey, Public Affairs Manager

**Deborah McGarrey, Public Affairs Manager for Southern California Gas Company**, updated the City Council on gas lines that will be replaced in residential neighborhoods through a distribution integrity project being performed per the California Public Utilities Commission. Every so often, lines need to be replaced or repaired. In this particular case, lines are being replaced to continue to provide safe and reliable gas service. There are three different phases which will last until possibly the end of November 2018. Written notification will be sent to affected homeowners and door-to-door notifications will be provided by the contractors in both English and Spanish.

c. Proclamation Designating April 2018 as Autism Awareness Month & and April 2, 2018 as World Autism Awareness Day in the City of Brawley Presented to Autism Support of Imperial County.

**Mayor Nava** read and presented the proclamation.

**James Gonzalez**, President of the Autism Support Group of Imperial County, referred to local statistics and provided background information on autism. Further comments were shared by parents, families and various professionals.

**Kurt Leptich, Imperial County Office of Education**, thanked the City Council for supporting awareness raising efforts.

**4. 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/Couchman 5-0

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

- a. **Approved** Accounts Payable: March 1, 2018  
March 2, 2018  
March 8, 2018
- b. **Rejected** Claim as recommended by Carl Warren & Company Claims Management Adjusters for Claimant: Herlinda Castillo.
- c. **Approved** Pyramid Construction Deductive Change Order No. 1 for Bus Shelter Improvements Project, FTA Grant No. SA#6414007 & SA-64BC15-00236 in the Amount of -\$208,885.31.
- d. **Approved** 2nd Reading of Ordinance No. 2018-01: Ordinance of the City Council of the City of Brawley, California Acting in its Capacity as the Legislative Body of City of Brawley Community Facilities District No. 2017-1 (Rancho Porter), Authorizing the Levy of a Special Tax Within the Community Facilities District.
- e. **Adopted** Resolution No. 2018-10: Resolution of the City Council of the City of Brawley, California Approving a Revised Development Agreement for the Construction of a Taco Bell at 120 West Main Street.
- f. **Adopted** Resolution No. 2018-11: Resolution of the City Council of the City of Brawley, Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Replacement of an AC Circuit Breaker that Powers Distribution Pumps at the Water Treatment Plant in the Amount of \$11,700.
- g. **Approved** the Purchase of UV Lamps for the Wastewater Treatment Plant UV Disinfection System in the Amount of \$25,379.04 from DC Frost Associates.

**5. REGULAR BUSINESS**

- a. Discussion and Potential Action to Authorize the Agreement with Mylo Janitorial, Inc. for Janitorial/Cleaning Services in the Annual Amount of \$92,908.80.

The City Council **approved** the Agreement with Mylo Janitorial, Inc. for Janitorial/Cleaning Services in the Annual Amount of \$92,908.80. m/s/c Couchman/Hamby 5-0

- b. Discussion and Potential Action to Adopt Resolution 2018: Resolution of the City Council of the City of Brawley In Support of Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

**City Manager Bayon Moore** stated that if Prop 68 is successful, it will result in two hundred million dollars available for the Salton Sea's restoration. At the local agency level, there are a number of resources that would become available for park facilities. These types of grants are often opportunities oriented towards new facilities. Prop. 68 is unique in that it provides funds for existing park facilities.

**CM Hamby** stated that previously the City Council discussed a request for support re: Prop. 69. It did not benefit the City as much as it represented a request for money from taxpayers to benefit the whole state. Brawley may be better off as a community taking care of local parks ourselves. He inquired of the dollar amount for the City and what asked what would happen if the City does not support the bill. Would the City be excluded from receiving funds in the future?

**City Manager Bayon Moore** indicated that most of the associated grant opportunities are competitive so there are no guarantees. Support of this bill is not a condition to receive funding.

**Mayor Nava** commented that it is in the best interest of the City to be supportive of the effort. The League is asking for support so cities are able to have access to funding in the future.

**CM Wharton** encouraged the City Council to speak with their League of Cities Representative to get all the facts on the proposition. He stated in his opinion, support of this proposition brings forward \$200 million dollars for the restoration of Salton Sea which should be strongly considered.

**CM Couchman** stated that in regards to the Gas Tax support letter he was against it as he did not feel the City would benefit significantly. However, what is being considered with Prop. 68 are funds that will benefit the County and the City. While everyone is going to pay for it, the return on investment will be greater in the long run.

**CM Kastner-Jauregui** added that she is in support of Prop. 68 because it means that the Salton Sea will get restoration funds.

The Council **adopted** Resolution 2018-12: Resolution of the City Council of the City of Brawley In Support of Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018. m/s/c Kastner-Jauregui/Couchman 4-1 Hamby Naye

- c. Discussion and Staff Direction re: Use of City Sidewalks in the Downtown Specific Plan Area on Low Visibility Side Streets in the Civic Zone as Requested by Mayor George A. Nava.

**Mayor Nava** gave an overview of the Downtown Specific Plan and the issues that have been brought forward to him due to low visibility on 6<sup>th</sup> Street. He asked City Council if there was consensus to move toward a trial period for sidewalk sales on 6<sup>th</sup> Street.

**CM Couchman** said that it would be beneficial to have a 180 day period, with a chance to increase the trial period if needed and act sooner than 180 days in case there are issues that need to be resolved. He stated he wants to ensure that public safety is maintained.

**City Manager Bayon Moore** stated that **Gordon Gaste, Development Services Director** had the opportunity to discuss with one of the merchants the minimum requirements such as ADA clearance that must be adhered to.

**Luis Olmedo** Comite Civico del Valle suggested that the City place banners back on the poles in the Downtown Area. He also urged the City to consider installing charging stations.

The City Council provided **staff direction** to proceed with measures for a 180 day demonstration period beginning March 26, 2018. ADA compliance must be maintained.

- d. Discussion and Potential Staff Direction re: 111/8th Street Priorities as Requested by City Council Member Luke Hamby.

**CM Hamby** stated that the state of 8<sup>th</sup> Street has been discussed in the past. He would like to see some movement to determine the cost and timeframe for address. He added that the discussion should be with business owners along the corridor. He stated he has had a discussion with Tony Alvarado from APWA who informed him that there is a rubberized membrane material that costs approximately \$3 a square foot. It was estimated to cost approximately \$1 million dollars. Do relinquishment funds have a requirement for engineering to be done in house?

**City Manager Bayon Moore** stated that this could be discussed further at the Budget Enterprise Session to really dive into the relinquishment funds and determine if City Council would like to focus on a short term fix rather than a long term fix. Some projects have deadlines which must be met as conditions of the funds received. The annual budget gives an overview of all projects and allows for prioritization.

**Guillermo Sillas, Public Works Director**, stated that this project will require additional planning as it was previously a highway and will now be a City street. Items that need to be considered are installing sidewalks, driveways, curbs, gutter and the undergrounding of the ditch to provide a storm water solution. City Council guidance is needed to decide if resurface of the road for a short term fix or reconstruction as a long term solution are desirable. As main corridor of travel, it would need to be constructed in phases which will add to the overall cost. A detailed investigation is needed to determine soil conditions. Consultation with Caltrans would be helpful to know what is underneath the road.

**Kay Pricola, COLAB Executive Director**, stated that the City should hold a stakeholders meeting to explain what the issues are and come up with a short term versus long term fix. She is willing to coordinate a meeting with stakeholders and **CM Wharton**.

The Council **directed** staff to put this item on the agenda for the upcoming Budget Session.

- e. Discussion and Potential Staff Direction re: Establishment of a Downtown Ad Hoc Committee as Requested by City Council Member Luke Hamby.

This item was **continued** to the next regularly scheduled Council Meeting for discussion once the Code Enforcement Officer position is filled. m/s/c Hamby/Kastner-Jauregui

- e. Discussion and Potential Staff Direction re: Future Fireworks Ordinance Updates as Requested by City Council Member Luke Hamby.

**CM Hamby** said that City Attorney Bill Smerdon has an ordinance template regarding fireworks.

**CA Smerdon** mentioned that the template can easily be incorporated to City of Brawley. He also mentioned different avenues of outreach and enforcement.

**CM Wharton** referred to the existing Fireworks Ordinance. Is a misdemeanor citation?

**CA Smerdon** stated that in order to issue a misdemeanor citation, a witness has to be willing to sign an arrest form. If a Police Officer sees firework utilization then they could arrest an individual. If it is a citizen who witnesses they need to be willing to sign a citizen's arrest form.

**Luis Olmedo** Comite Civico del Valle informed the City Council of the IVAN App which can be used as a resource for violation tips.

- g. Discussion and Potential Staff Direction for Park Repair Grants as Requested by City Council Member Luke Hamby.

**CM Hamby** stated that he wanted to look into obtaining a grant writer to help with more grant funding.

**City Manager Bayon Moore** said that we did have a grant writer in the past, however that position was eliminated due to budget concerns. The City currently has been very successful in obtaining grants, however grants for Parks and Library are usually geared toward new services.

**CM Couchman** stated that typically grants do not pay for administration.

**CM Kastner-Jauregui** added that perhaps the City could look into cost savings. The option to not backfill positions might be considered. The Police Department has a high turnover rate.

**Interim Police Chief Brown** indicated that the Police Department functions at 3 Police Officers and 1 Sergeant per shift. Whenever an inmate needs to be transported to jail or to the hospital, an officer needs to accompany the inmate, leaving 2 Police Officers and 1 Sergeant on duty. The City heavily relies on backup from the Sherriff's Department and cutting Police Officers would be a detriment to the department.

**CM Wharton** stated that there are currently not enough bodies to participate in P.O.S.T trainings and events which can lead to funding issues.

- h. Discussion and Potential Action re: Imperial Valley College Foundation Hall of Fame Induction & Dinner April 19, 2018 Sponsorship.

The City Council **authorized** purchase of individual tickets as needed.

## **6. DEPARTMENTAL REPORT**

- a. Community Clean Up Day on April 28, 2018 from 7AM to 2PM at Brawley Municipal Airport by Guillermo Sillas, Public Works Director/ City Engineer
- b. Update on City of Brawley Library's Strategic Planning Effort

**City Manager Bayon Moore** informed the City Council that the Draft Strategic Plan is under review. The plan is scheduled for adoption by the Library Board of Trustees in April.

## **7. CITY COUNCIL MEMBER REPORTS**

**Hamby:** Attended the Library Board Meeting, Imperial Valley Symphony Orchestra Rehearsal. A concert will take place on at Southwest Performing Arts Theater on March 20, 2018 starting at 7:30pm. Also attended the State of the County Address and the Parks & Recreation Commission Meeting. A couple of irrigation issues at public parks were discussed.

**Kastner-Jauregui :** Attended the State of the County Address, went to a meeting out of town regarding pensions, visited downtown businesses and will have another Ad Hoc Committee this week.

**Couchman:** Attended the DOVE's Event at Stockmen's Club, COLAB Breakfast, Service Club Luncheon at the Fair, read to students at Hidalgo School and Phil Swing Schools and attended a Rotary Meeting.

**Wharton:** Attended the DOVE's Event, the NAF Air Show and the Mayor's Summit in Yuma.

**Nava:** Met with 6<sup>th</sup> Street owners, Katie Luna from the Brawley Chamber of Commerce regarding downtown businesses, attended the Mayor's Summit, State of the County Address and extended an invitation to all for the upcoming REACH Mixer in Imperial that will also have a Health Fair on March 29, 2018 starting at 6pm with a tour of the facility at 4:45pm.

**8. CITY MANAGER'S REPORT**

**City Manager Bayon Moore** informed Council that the next Council agenda is looking to be full.

**9. CITY ATTORNEY'S REPORT** None to report

**10. CITY CLERK'S REPORT** None to report

**11. CLOSED SESSION**

POTENTIAL LITIGATION (C.G.C. Section §54956.9)

a. Conference with Legal Counsel - One (1) Case

**ADJOURNMENT @ 8:45 pm**

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***Alma Benavides***, City Clerk