

**CITY OF BRAWLEY**  
**September 18, 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 @ 6:00PM

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

Invocation was offered by **Tim Kelley, President of Imperial Valley Economic Development Corporation**

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

**1. APPROVAL OF AGENDA**

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

**2. PUBLIC APPEARANCES/COMMENTS** (Not to exceed 4 minutes) this is the time for the public to address the Council **on any item not appearing on the agenda** that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. **Please direct your questions and comments to the City Council.**

- a. **Marjo Mello**, Interim Parks & Recreation Director, announced that the Senior Center officially started handing out meals again on Monday, September 17<sup>th</sup>. An Open House, Ribbon Cutting and Tour are scheduled at the Senior Center on Tuesday, October 16<sup>th</sup> starting at 10AM.
- b. **Ralph Fernandez, Brawley Chamber of Commerce President**, recognized and presented CM Couchman with a plaque for years of service to the Chamber of Commerce.
- c. **Tim Kelley, Imperial Valley Economic Development Corporation President**, reported on the Annual Board of Director's Meeting. Deborah McGarrey of Southern California Gas Company was elected as Chairman and Mayor Nava, representing City of Brawley, was elected to the Board of Directors. The grand opening of IVEDC's new office will take place on October 18<sup>th</sup>, from 4PM -7PM. IVEDC's Annual Dinner will take place on November 15<sup>th</sup> in Brawley at the Elks Lodge. The theme this is "What's In It For Us".

He also provided an update on the Brawley Theatre. The Brawley Community Foundation is re-energized. They are waiting for a date to host a fundraiser in roughly mid-October. The exterior lights will go back up and start the next campaign will be launched to put on a new roof and trusses, estimated at a cost of \$350,000.

- d. **Marty Coyne** updated the City Council regarding his interest in reviving Latigo Ranch. He has opened escrow with the seller. He hopes that the City can reach agreeable terms with a new Development Agreement. Escrow is scheduled to close by November 22<sup>nd</sup> and the project may be under construction by early 2019. He requested City Council feedback on how the project was previously approved and the possibility of bypassing the Planning Commission and bringing it directly to the City Council once the staff work is complete.

**Mayor Nava** stated that the City would need to further the request and then provide a response to him.

- e. **Ryan Kelley, County Board of Supervisor District #4**, updated the City Council on the Ad-Hoc Election Committee that was recently formed. He thanked Alma Benavides, City Clerk, for participating. Election poll workers will receive a higher stipend. The polling location at the County Administration Office will move to outside of office. The Elections Department website is in the process of being modified. It will soon have an election page and on election night, results coming in from the precincts will be displayed. Imperial County’s mobile unit will be in Brawley during the Chili-Cook Off.
- f. Introduction of Mario Renteria, District Representative, Office of State Senator Ben Hueso.

**Mario Renteria**, introduced himself as the District Representative for Senator Ben Hueso. He stated that he is available to provide information to constituents regarding any State department or State related issues. He is also available to work with local government when information is needed or to collaborate on joint efforts in the future.

- g. Proclamation Declaring the Week of September 23-29, 2018 as Voter Registration Week – Presented to Ryan Kelley, County Board of Supervisor District #4.

**Mayor Nava**, presented **Ryan Kelley, County Board of Supervisor District #4**, with a City Proclamation Declaring the Week of September 23-29, 2018 as Voter Registration Week.

- h. Proclamation Declaring the Month of October, 2018 Breast Cancer Awareness Month to Oreda Chin, Imperial Valley Cancer Support Center.

**Mayor Nava** presented **Oreda Chin, Imperial Valley Cancer Support Center** with a City Proclamation Declaring the Month of October, 2018 Breast Cancer Awareness Month.

**Oreda Chin** shared that September is Childhood Cancer Month. On September 28<sup>th</sup>, an event at Hidalgo Hall will be held called “Cancer Sucks Happy Hour - Not So Silent Auction” from 5:30PM to 8:00PM. In October, IVCSA wants to paint the Valley pink, including putting a pink spotlight at City Hall. IVCSA will furnish the light.

- i. Presentation by Mr. Tom Henderson, VSW Post 9305, re: Vietnam Veterans Memorial Mobile Wall.

**Tom Henderson, VSW Post 9305** presented a Power Point Presentation regarding the AV Mobile Wall and All County Remembrance Wall coming to Imperial County March 26-30, 2020. The funding goals include asking for financial support from the community. It is recognized that there are tight budgets. Moral support and encouragement of citizens are also welcome. March 29<sup>th</sup> is Vietnam Veterans Memorial Day, an officially designated a holiday.

**Mayor Nava** indicated to Mr. Henderson that he has the City of Brawley’s support. With reference to financial support, it can be placed on a future agenda item to be considered.

**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/Couchman 5-0

<b>AYES:</b>	Hamby, Kastner-Jauregui, Nava, Wharton
<b>NAYES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

- a. **Approved** Accounts Payable: September 7, 2018  
September 13, 2018
- b. **Approved** City Council Minutes: July 3, 2018  
July 17, 2018  
July 27, 2018  
August 9, 2018
- c. **Approved** the Purchase of Ultra Violet (UV) Lamps, Ballasts and a Pump Kit Modular Bearing for the Wastewater Treatment Plant UV Disinfection System from DC Frost Associates, Inc. in the Amount of \$39,695.15.
- d. **Corrected** City Authorized Date for the Sale and Consumption of Alcohol on City Property for the Elks Rib Cook Off on October 27th, 2018 from 10AM to 6PM.

**4. REGULAR BUSINESS**

- a. Discussion and Potential Action to Authorize the Sale & Consumption of Alcohol on City Property at Specified Cattle Call Events and Waive Associated Road Closure Fees.

The City Council **approved** the Sale & Consumption of Alcohol on City Property at Specified Cattle Call Events and Waived All Associated Road Closure Fees. m/s/c Nava/Kastner-Jauregui 4-1 Hamby naye

- b. Discussion and Potential Action to Award a Contract to Pyramid Construction for Project No. 2018-03: Volunteer Parking Lot Improvement Project, Phase 2 in the Amount of \$409,625.75, Authorize a 10% Contingency in the Amount of \$40,962.58 for a Total Amount of \$450,588.33 and Approve a Budget Adjustment by City Council Resolution.

**CM Kastner-Jauregui** asked just for clarification and the necessity for a budget adjustment? **CM Bayon Moore** stated that there are two distinct elements in the proposed award of contract. First, there is the actual contract award to the lowest bidder, which in this case is Pyramid Construction at \$409,625. In addition to that, staff typically proposes authorization for a 10% contingency for unforeseen circumstances. This project includes a \$40,952.58 set aside. This sum may not in fact be spent. The proposed budget adjustment accounts for the 10% set aside, in addition to \$35,855.75 to award the contract.

The City Council **awarded** Contract to Pyramid Construction for Project No. 2018-03: Volunteer Parking Lot Improvement Project, Phase 2 in the Amount of \$409,625.75, **authorized** a 10% Contingency in the Amount of \$40,962.58 for a Total Amount of \$450,588.33 and **approved** a Budget Adjustment by City Council Resolution. m/s/c Kastner-Jauregui/ Couchman 5-0

- c. Discussion and Potential Action re: Hidalgo Society’s Request to Waive Road Closure Fees for Dia De La Raza on Saturday, October 6, 2018.

The City Council **approved** the Hidalgo Society’s Request to Waive Road Closure Fees for Dia de la Raza on Saturday, October 6, 2018. m/s/c Nava/Couchman 5-0

**CM Hamby** said he would like to have a discussion in the near future to incorporate fees for road closures, incorporate a date to begin charging and implement changes.

**CM Kastner-Jauregui** concurred with **CM Hamby** to start looking into sometime in January to review this topic.

- d. Presentation by Meredith Garcia, Director of the Imperial Valley Small Business Development Center (IVSBDC), re: Request for 2018 Financial Contribution.

**Meredith Garcia, Director of the Imperial Valley Small Business Development Center (IVSBDC)** presented a Power Point Presentation and requested a contribution to support IVSBDC services.

**Mayor Nava** thanked Ms. Garcia for the presentation and information and indicated that the request will return to the City Council for consideration after the budget is approved.

- e. Discussion and Potential Staff Direction to Establish City of Brawley Social Media Presence as Requested Mayor Nava.

**Mayor Nava** stated that he brought this up in the past. He wants to establish a part time person to address items occurring throughout the City. It is important even if it means assigning some responsibilities to an existing staff person. There is a lot going on in the City but unless it is being broadcast, it is not known. He requested the City Council's support to provide staff direction. At the very least, City pages can be established. The City is missing out on opportunities to speak to the public which is important. It should not be any one Council Member's responsibility to post on a personal page. A lot of this came to light recently at the California League of Cities, specifically with respect to transparency and getting information out to the public. Some good and bad examples were shared. HE requested the topic return to the City Council, even if the City has to pay a person and maybe offer it for about to 30-60 days just to see how things function and get some feedback.

**CM Kastner-Jauregui** mentioned that it could be a part-time position. There are people that are willing to take on part-time positions and that is a less costly expense for the City.

**CM Wharton** said that this effort has dropped off in the past. The City has never really moved forward on a plan for social media. Mayor Nava's proposal is that the Council move forward and get a page up and running and a plan for that and who is going to do it. There are some individuals here that do social media for cities specifically around the valley.

**Fonzie Ruiz and Edward Morales, Digital Marketing** indicated that they are responsible for websites, mobile apps & marketing campaigns that help businesses generate quality leads, raise awareness, sales and social media presence. They requested the City consider outsourcing instead of hiring in-house. Outsourcing allows for development of a proper strategy to actually reach the majority of people.

**CM Bayon Moore** stated that there are a couple of policy matters that need to come to the City Council for action. They are near ready but further dialogue with Council is needed to finalize the content and approve the content.

**Mayor Nava** advised keep it simple, get something created and post positive content. The policy does not have to be lengthy and over-complicate matters.

**CA Smerdon** mentioned that the biggest concern from a legal standpoint is the comments section. It is easy to have a post that generates a lot of chatter and the next thing is five different Council Members have commented to express their opinions.

**CM Couchman** indicated that once the policy is in place, staff direction is needed to either create something simple in house right away or go out and look at options for outside temporary services. Cost is a factor and there is a cost to staff time, too. He doesn't know if we have staff that is qualified to do social media. He requested that staff prepare the policies so decisions can be made. Then, the City Council can look at options: do something simple right away or wait until someone can be hired on a temporary basis to set something up.

**CM Hamby** stated that appreciated what Mr. Morales and Mr. Ruiz had to say. When it comes to government employees doing things versus a private citizen or private business trying to carry out a job, usually a private party is more efficient. The rules are changing rapidly. An expert or professional would know or should know and be able to save time. He stated that he used their services in his own campaign for City Council. He attributes being the top vote getter to social media and the ability to interact with people. Messaging announcements for upcoming events is important.

The City Council **directed** staff to proceed with presenting the social media policy to the City Council for action to lay groundwork for a social media presence and review this matter at the next meeting.

**5. DEPARTMENTAL REPORTS**

- a. Shirley Bonillas, Personnel & Risk Management Administrator, re: 2019 Calendar
- b. Guillermo Sillas, PE, Public Works Director / City Engineer
  - (1) Cattle Call Parade Chair Protocol
  - (2) Community Clean Up Day on Saturday, October 13, 2018 from 7AM to 2PM at the Brawley Municipal Airport
  - (3) Tentative Timeline for LTA Phase XI, SB1, Main St. Alley, S. Rio Vista Ave. & N. 8th Street / Old HWY 111 Project.

**6. CITY COUNCIL MEMBER REPORTS**

- Wharton:** Attended the League of Cities Conference in Long Beach and looks forward to events coming up in the fall.
- Couchman:** Attended the Brawley Public Library Board Meeting, met with a member of the Brawley Airport Commission and was asked to sit in on some Eagle Scout interviews for the Boys Scouts Bench Project. Commented on construction at Taco Bell, McDonalds and the Pilot Travel Center.
- Kastner-Jauregui:** Attended the League of Cities Conference. It was an opportunity to network with other Council Members and there were great sessions. Attended Coffee with a Cop at Starbucks.
- CM Hamby:** Attended the Parks & Recreation Meeting. Continues to receive calls regarding the dumpsters on Plaza Park. Spoke to Marjo and Rosanna regarding the scheduling of parks. Inquired if there an ordinance for digging thru trash. It would be good to find out

if other cities have this problem and if they have an ordinance in place. Inquired about the frequency of the Code Enforcement Report and when the temporary term of the Code Enforcement Officer ends.

**CM Bayon Moore** reported that the Code Enforcement Report is being prepared once per month. The Code Enforcement Officer position was established for 6 months and that will end in November.

**Nava:** Attended the League of Cities Conference. It is an important conference to attend on a yearly basis.

**7. CITY MANAGER REPORT**

- a. Airport Pollution Control District will hold an upcoming Public Meeting here in the Council Chambers next Tuesday, September 25<sup>th</sup>, 2:00-5:00 PM.
- b. Submitted an updated Service Area Plan to LAFCO.
- c. Opportunity to meet with Peggy Price of Imperial County Social Services and the new addition to the Executive Office, Esperanza Colio on a topic that certainly affects all the communities in the valley which is homelessness.

**8. CITY ATTORNEY** None to report.

**9. CITY CLERK REPORT** None to report.

**10. CLOSED SESSION**

- a. POTENTIAL LITIGATION  
(C.G.C. Section §54956.9)  
Conference with Legal Counsel - Two (2) Cases
- b. EXISTING LITIGATION  
  
(C.G.C. Section §54956.9)  
Conference with Legal Counsel – One (1) Case  
Name of Case: City of Brawley vs. Edward Singh, et al.

**11. ADJOURNMENT @ 8:01pm**

---

**Alma Benavides, City Clerk**