

**CITY OF BRAWLEY**  
**February 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 **Pastor Tom Charlton, Full Gospel Church**

Pledge of Allegiance was led by **Rosa Ramirez, Finance Director**

**1. APPROVAL OF AGENDA**

The agenda was **approved** as amended. m/s/c Kastner-Jauregui/Hamby 5-0

Item No. 4-b Discussion and Potential Action to Adopt Resolution No. 2018- : Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2017/2018 City of Brawley for the Downtown Conceptual Drawings in an Amount not to exceed \$9,910. **This item was tabled to a future meeting date.**

**2. PUBLIC APPEARANCES/COMMENTS**

a. **Gil Rebollar, Brawley resident**, invited the City Council to appear on his podcast Small Town News.

**3. SCHEDULED PRESENTATION**

a. The Village at Brawley Union High School (BUHS), Accompanied by BUHS Faculty Member Beth Carson - **April Armstrong**, BUHS Student and President of The Village, described their purpose, goals and efforts.

**Mayor Nava** asked if anyone can access the services or only students and their families.

**April Armstrong** confirmed that anyone can access services provided. She added that anyone can donate by contacting Ms. Carson directly or donations can be dropped off at the main office.

**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: February 2, 2018

b. **Approved** City Council Minutes: January 3, 2018

- c. **Rejected** Claim as Recommended by Carl Warren & Company Claims Management Adjusters for Rikki Garcia.
- d. **Approved** Resolution No. 2018-08: Resolution of the City Council of the City of Brawley, California Approving a Development Agreement for the Construction of a Taco Bell at 120 West Main Street.

**5. REGULAR BUSINESS**

- a. Discussion and Potential Action to Approve Determination of Public Convenience and Necessity for Sale of Beer at Leon's Place located at 1115 E Main Street.

**CM Bayon Moore** informed City Council of previous issues with adjacent tavern location as it relates to the nonconforming residence on site. She also added that a stipulation will be added to the license to require the back door to be closed during business hours.

**Jerry Santillan**, property owner within the noticed area, spoke in favor of a Determination of Public Necessity and hopes the City can support this new business.

**Josephine Guillen**, prior owner of the tavern at 1115 E. Main Street, said that there were a lot of restrictions on their ABC license and there was harassment from the neighboring tavern. She stated she is open for questions.

**Maria Jones**, owner of Toni's Place, mentioned that she hopes the City Council finds a public necessity to reopen Toni's Place.

**Gabriela Rivera**, Owner of Panaderia Royal, added that they have never had a problem with Toni's Place. They share a wall and noise has never been an issue. They have never had any issues with tavern patrons.

**Victor Rivera**, Owner of Panaderia Royal, stated that he did have issues with the previous tenants of the location. However, when the tavern was in Mr. Leon's hands, there were no issues.

**Ray Guzman**, Resident and Owner at 1175 Main Street, Naty's Place, stated he did not think that it would be beneficial to have (2) two bars next door to each other. He has had issues with this tavern before.

The City Council **approved** the Determination of Public Convenience and Necessity for Sale of Beer at Leon's Place located at 1115 E Main Street with the caveat that the back door remain closed during hours of operation.  
m/s/c GN/SC 4-1, Hamby abstain

- b. Discussion and Potential Action to Approve City of Brawley Comment Letter re: Proposed Remedial Action Plan for the Former PureGro Facility located at 1026 River Drive.

**CM Bayon Moore** stated that on February 8, 2018 a Community Meeting was scheduled to be held at the Del Rio Branch Library but was moved to the Imperial County Office of Education property next door to discuss a draft Remediation Plan for the PureGro Facility site located at 1025 River Drive. At that time, the City had prepared preliminary comments that were read into the record by Mayor Nava and the City committed to a second round of comments based on the manner in which the meeting was conducted and based on the type of comments that were entered into the record by Brawley's Community Members. She stated that the City has been notified of an extension to March 9<sup>th</sup> for public comments. Included in the draft letter is a proposal for submittal on behalf of the City of Brawley. City comments are rooted in the context of honoring the Community's concerns and questions about the future of the site. The City formally requests the performance of a peer review that takes a look at the proposed remediation plan and looks at ways to incorporate community concerns and interests in the ultimate approach.

**Eric Reyes**, Brawley resident, thanked the City for its involvement in the remediation process. He stated that he is looking into different avenues to achieve adequate remediation.

**Tomas Perez**, Brawley resident, thanked the City for their involvement in the remediation process.

**CM Bayon Moore** clarified that the letter is requesting that Chevron provide the financial resources so that a peer review can be conducted. It is a practice to ask the applicant to support a community based peer review. The City is hopeful that the City can join with Chevron in achieving that with this particular site. An independent third party can give the City the opportunity to weigh in on the proposed strategy and ways to develop more meaningful mitigation for the community.

The City Council **approved** the draft comment letter. m/s/c Kastner-Jauregui/Wharton 5-0

c. Mid-Year 2017/2018 Budget Review Presentation by Rosa Ramirez, Finance Director

- Power Point Presentation materials are on file and available upon request at the Office of the City Clerk.

**FD Ramirez**, gave an overview of the current 2017-2018 Budget. Discussion was held in regards to the approved budget and the actual budget being at 35%. It was explained that these are normal figures at this point in the year.

**Council Member Wharton** asked if the City is on track with expenditures as projected. **FD Ramirez** stated yes.

## **6. DEPARTMENTAL REPORT**

a. Update on Scheduled Proposition 218 Utility Rate Increases as of March 2018 – Presented by Rosa Ramirez, Finance Director.

**FD Ramirez** reported that scheduled increases for water and sewer utilities will be implemented effective March 1, 2018.

## **7. INFORMATIONAL REPORTS**

a. Investment Activity Report – December 31, 2017, prepared by Ruby D. Walla, City Treasurer

b. Record of Building Permits for January 2018 in the City of Brawley, Prepared by Oscar Escalante, Interim Building Official.

## **8. CITY COUNCIL MEMBER REPORTS**

**Hamby:** Attended Flip the Switch Event at Brawley Union High School, David Hoskins Memorial Arena Dedication. Heard some concerns regarding homeless residents and Taco Bell. Stated it would be helpful to take a look at formula restaurants chains to see the impact that a national chain has on a small local economy as far as how much of the dollars that are spent at that restaurant or at that chain circulates into the local economy compared to a dollar that's spent at a local a locally owned and operated business restaurant. In context of business friendliness, not all business is helpful to a small economy like Brawley's. It would be helpful in the future to look at whether the City should either limit the large chains coming in that might create an issue for some of the smaller businesses in town. Re: the County Solar Mitigation Grant Fund, requested that the City Manager follow up with the County about the finding opportunity.

**Kastner-Jauregui :** Attended the Flip the Switch Event, made a presentation at the Brawley Senior Citizens Center, met with Downtown Merchants and Katie Luna of the Chamber. The City Council should expect a report from the Ad-Hoc Committee for Norms & Procedures very soon.

**Couchman:** Attended the Flip the Switch Event, David Hoskins Memorial Dedication, Board Meeting at the Stockman's Club, National Rifle Association and Phil Swing School's Jump for the Heart Event.

**Wharton:** Attended the League of Cities Dinner in El Centro, Mardi Gras Gala, Flip the Switch Event, State of the City Breakfast, State of the City for El Centro, Chamber Mixer and an Aircraft Event at the Brawley Municipal Airport.

**Nava:** Thanked City Staff for all their support at the State of the City Breakfast, Flip the Switch Event and the PureGro Meeting.

**9. CITY MANAGER'S REPORT**

a. The City of Brawley has been informed by the California Department of Tax & Fee Administration that they will be in the City to determine whether all permits and licenses are in place.

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

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

**12. CLOSED SESSION**

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

a. Conference with Legal Counsel - Two (2) Cases

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

a. Conference with Legal Counsel - One (1) Case Name of Case: Garcia v. City of Brawley

**ADJOURNMENT** Next Special Meeting, **Monday, February 26, 2018 @ 6:00 PM**, 383 Main Street, Brawley, California. Supporting Documents are available for public review in the Office of the City Clerk, 383 Main Street, Brawley, California 92227 - Monday through Friday during Regular Business Hours; Individuals who require special accommodations are requested to give 48 hours prior notice. Contact: Office of the City Clerk @ 760-351-3080.

**ADJOURNMENT @ 7:28pm**

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***Alma Benavides***, City Clerk