

**CITY OF BRAWLEY**  
**March 5, 2019**

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.

**Mayor Wharton** called meeting to order @ 6:00PM

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

**INVOCATION** Lead Pastor Joe Garcia, Brawley Gateway Church

**PLEDGE OF ALLEGIANCE** CM Kastner-Jauregui

**1. APPROVAL OF AGENDA**

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

Added item under Regular Business 4c: to include a waiver of the street closure fee

**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. **Dana Mendoza, representative for Cattle Call Queen Royalty Association** stated that she submitted an application to Parks/Recreation Department. She has not received a response back for an event that will take place on May 4, 2019 at the Cattle Call Facility for a Country Battle of the Bands Fundraiser for the Cattle Queen Royalty Association. She inquired about expedited processing. Waiting until March 19<sup>th</sup> leaves 47 days when the application was submitted the first part of February. She requested the City Council's help and ideas. There is planning to do. If this event is completely out of question and it is not going to be allowed, the organization needs to know and move on to a different venue.

**Personnel & Risk Management Shirley Bonillas** stated she briefly reviewed the application and asked Ms. Mendoza if they are requesting alcohol to be served. **Ms. Mendoza** indicated yes. **Ms. Bonillas** said that alcohols sales and consumptions are the components that require City Council action. She agreed to look further into the matter and see what can be done to expedite the application.

b. **Joanna Ramirez, Lead Advocate, and Karla Soto, Drug and Alcohol Suicide Prevention Educator for Sure Help Line Crisis Center**, invited the City Council to upcoming events and provided an update on countywide services. Their main office is in El Centro and a satellite office is in Calipatria. April 12<sup>th</sup>, 2019 is the Gala Event that raises funds for hotels and food for victims. April 24<sup>th</sup>, 2019 is Denim Day worldwide to protest sexual assault. April 26<sup>th</sup>, 2019 is Wear Red High Heel day. Men are welcome to walk in high heels for one day. Community and high school kids will be involved in this event.

c. **Gill Rebollar**, Master of Ceremonies for the State of the County, extended an invitation on behalf of County Board of Supervisors Chairman Ryan Kelley to the Council and audience. The event will take place Thursday, March 14<sup>th</sup>, 2019 starting at 6pm at Doc's Organics.

**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 Nava/Kastner-Jauregui 5-0

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

- a. **Approved** Accounts Payable: February 21, 2019  
March 1, 2019
- b. **Adopted** Resolution No. 2019-09: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2018/2019 City of Brawley Budget for the Finance Department for \$7,500 for David Taussig & Associates AB 1600 Development Impact Fee Report for Fiscal Years 2015/2016 through 2017/2018.
- c. **Authorized** Travel Request of Greater Than 500 Miles for Marjo Mello, Library Director, to Attend the California Library Directors' Forum in Sacramento, California on April 22-24, 2019.
- d. **Rejected** All Bids for Project No. 2019-01: Rio Vista Avenue Asphalt Rehabilitation.

**4. REGULAR BUSINESS**

- a. Discussion and Potential Action to Oppose Assembly Bill 854, which amends the Imperial Irrigation District Governance Structure.

**Jim Hanks, Division 3 IID Director** stated to the City Council that he wanted to bring to their attention state legislation that threatens the long-standing water rights of the Imperial Valley and affordable energy rates approved by all partnering IID ratepayers. AB 854 by Assembly Member Mayes proposes to increase the IID Board of Directors from 5 to 11 with the additional six elected from Riverside County. Given that Imperial County is a majority of the IID Board of Directors, the change would effectively dilute and violate Imperial Valley voting rights.

Last year, the IID faced a hostile ordinance from Riverside County aimed at bypassing IID's jurisdictional rate making authority. IID challenged the ordinance in court and the court ruled in IID's favor, making the ordinance unenforceable. The proponents of the orders have now moved to the State Legislature to advance their special agenda. It is important to understand that IID's right to serve customers in the Coachella Valley is tied to the long-standing legal agreement Coachella Valley Water District and Southern California Edison. The agreement with Coachella Valley Water District dates back to 1934 and provides them with Colorado River water rights.

Lease payments from IID energy proceeds have reached approximately \$45 million today. The bill's proponents have used the phrase "taxation without representation" to grab attention and mislead the public. To be clear, a charge for electrical service is not a tax; it is a fee. All IID customers have representation and the board has a strong voice.

The IID Board has public meetings in both Imperial and Coachella Valleys and serves all customers equally which is reflected in its customer service record and rate payer focused programs. Local communities also have been put on energy related projects and programs via the new Energy Consumer Advisory Committee which is comprised of representatives of Cities and Counties served by the IID. The Coachella Valley has a permanent office, complete with a customer service center and full-time staff in the City of La Quinta.

The bill threatens IID water rights and ignores the letter of the law. IID urges the Brawley City Council to join in opposition to AB 854.

**CM Couchman** stated that hopefully the public in general sends letters and makes contact with their legislators, so they can understand opposition to Assembly Bill 854. m/s/c Nava/Hamby 5-0

- b. Discussion and Potential Action to Approve Request by Los Amigos de la Comunidad to Sell & Consume Alcohol on City Property for the Cesar Chavez Celebration on March 30, 2019 from 10AM – Midnight.

**Marjo Mello, Interim Parks & Recreation Director** presented the staff report and mentioned that Mr. Reyes is available in the audience for any questions or comments. Noted that the organization is paying the minimum \$500 towards the road closure. m/s/c Nava/Kastner-Jauregui 4-1 Hamby naye

**CM Hamby** suggested that the alcohol sales & consumption request be separated from road closure waiver items on the agenda.

- c. Discussion and Potential Action to Approve Request by the Brawley Chamber of Commerce to Sell & Consume Alcohol on City Property for the Taco Showdown on Saturday, April 13, 2019 from 5PM – 9PM. m/s/c Nava/Kastner-Jauregui 4-1 Hamby naye

## **5. DEPARTMENTAL REPORTS**

- a. Monthly Staff Report for March 2019 – Shirley Bonillas, Personnel & Risk Management Administrator.
- b. IV Reads – Marjo Mello, Library Director

**LD Mello**, announced that March is Women’s History Month and as part of that, the Library is hosting an IV Reads event. People read the same book and then gather together to discuss the book or have an event. The Council and community are invited to the IV Reads event on Thursday, March 21, 2019 @ 6pm, featuring the Honorable Monica Lepe-Negrete. Notorious RBG: The Life and Times of Ruth Bader Ginsburg is the book being read and the talk will focus on women in the justice system.

- c. Tentative Tree Planting Sites – Marjo Mello, Interim Parks & Recreation Director

**Marjo Mello, Interim Parks & Recreation Director and Miguel Perez, Parks Coordinator** presented a Power Point Presentation

The City of Brawley, in cooperation with the City of El Centro’s Urban Forestry Grant, projects to provide 350 tree-planting sites in the City. The project is in cooperation with the nonprofit Trees of San Diego. Final project approval is pending.

**CM Couchman** stated that local Rotarians have expressed interest in assisting with this project. He will report back to Rotary.

**CM Kastner-Jauregui** asked what are the tentative dates for those that are helping with the planting and what about the weather and is it an ideal time to plant trees.

**CM Hamby** asked if some of the trees that are coming are for the schools.

**PC Perez** stated whatever is not used by the City will go to BESD or BUHS and the City will coordinate with both schools. The tentative date for tree planting is sometime before May. There are two parks of focus - Hinojosa and Pat Williams. The City Council will be informed as soon as dates are available. **CM Bayon Moore** has reached out to the Superintendents at both districts and City staff have reached out to the schools’ groundskeepers.

**Gil Rebollar, Brawley Elementary School District Trustee** said he hoped the BESD gets first access to the trees. This is a great opportunity to get both districts involved. He indicated he will reach out to the Superintendent.

- b. Update on Schedule of Roadway Improvements and Community Clean Up Day on Saturday, April 6, 2019 from 7AM to 2PM at the Brawley Municipal Airport, by Guillermo Sillas, Public Works Director.  
**(CORRECTION: Date is April 13, 2019)**

**Guillermo Sillas, Public Works Director**, updated the City Council on the Community Cleanup Day and read a tentative schedule of the Street Rehabilitation Project Phase 11, the contract was awarded to API, pre-construction meeting was held and the scheduled date to start the project is this coming Friday, March 8<sup>th</sup>, on 8<sup>th</sup> Street/Old Highway 111; we have been in communication with the stakeholders and members of the public along that street and with the contractor who reviews all the documentation, construction schedule and traffic control plan; it will be approximately from March 8<sup>th</sup> to April 3<sup>rd</sup> to complete 8<sup>th</sup> Street/Old Highway 111; then the contractor will move to the rest of the streets; we will be posting no parking signs 48 hours in advance of Monday, March 11<sup>th</sup> when the contractor will start; You will notice the public traffic change on a street because of operations but there will be plenty of traffic control signs and devices. The Construction Manager, Contractor and Public Works staff will be available.

**CM Hamby**, thanked all the departments for all of these road improvements and excited for all the changes that are coming.

**CM Kastner-Jauregui** stated that business owners along the route had questions as far as communication with the construction being performed and had concerns on the access while work is being done? Will you or contractor be communicating with the businesses?

**PWD Sillas** stated that general information would be provided each day and there will be plenty of signs and devices for traffic control; flyers will be delivered to the businesses and the contractor will be able to answer any questions and will inform the truck drivers or trucking companies of construction schedule and the traffic control plan. The traffic control will be changing every day but there will be signs to re-route and give access to emergency vehicles into the businesses.

**Katie Luna, Brawley Chamber of Commerce Executive Director** informed Council that the Chamber can be used as a mode of communication to the general public, we have several outlets social media, email blasts, direct communication with members of the business community. Always remember the Chamber's here to help with your communication and feel free to send it over and well just send it out.

## **6. INFORMATIONAL REPORT**

- a. Attendance Summary & Minutes for City of Brawley Boards/Commissions from September 30, 2018 – December 31, 2018.
- 1) Brawley Airport Advisory Commission
  - 2) Brawley Parks & Recreation Commission
  - 3) Brawley Planning Commission
  - 4) Brawley Public Library Board of Trustees

**Mayor Wharton** suggested that members with perfect attendance be recognized on an annual basis before the City Council.

**City Clerk Benavides** suggested the last meeting in June.

**7. CITY COUNCIL MEMBER REPORTS**

**Hamby:** Met for lunch with Johnny Sample, a concerned Community Member regarding improvements to a Handicap Ramp at the Senior Center. Spoke briefly with Guillermo Sillas, Public Works Director about how this can be accomplished. Attended the Brawley Elementary School District Parent Fair, Susan Manger's Funeral, Klicka-Parker's 15 Year Anniversary. Commented that he has been speaking with community members about the Parks & Recreation Tree Planting Project. He had a community member send a picture of glass picked up at Hinojosa Park. It is good to see the concerns from the community because that means that there are people that are willing to step up and help out and not just complain.

**Couchman:** Attended the Elk's Major Project Drawing Dinner, Stockmen's Club KC Tip Statue Dedication, Klicka-Parker's 15 Year Anniversary, Jack Hannon's Funeral, the Breakout Fitness Ribbon-Cutting Ceremony and the Brawley Elementary School District Parent Fair. Thanked the Police and Fire Departments and commended them for the job that they do in the City.

**Nava:** Concurred with CM Couchman about the Police and Fire Departments. Chaired the unmet transit needs hearing for ICTC. Thanked everybody for their work and thanked the Wastewater Treatment Plant Staff for helping out with Rotary on our Wastewater Treatment Plant.

**Kastner-jauregui:** Attended the Film Commission's "Night at the Oscars," Ribbon Cutting Grand Opening for Breakout Fitness Center and Chamber Board meeting. The Chamber currently has 323 members and is doing a really good job of recruiting businesses to join. The next big event in Brawley is the Great Taco Showdown on Saturday, April 13<sup>th</sup>, at North Plaza Park from 5:00 to 9:00 pm. The Chamber is in the process of selecting new Board Members. There is a group of Community Members that are working to access grant funds for resurfacing of the Tennis Courts at Meserve Park. Commented on the change in ambulance services in the City. Commended the Fire Department for their hard work and dedication and making the necessary adjustments to do everything they can.

**Wharton:** Attended Ribbon Cutting of Walmart Online Ordering, Klicka-Parker's 15 Year Anniversary and presented a City proclamation, attended Jack Hannon's funeral, annual dinner that preceded the Navion Association event. Extended gratitude and appreciation to the Fire Department for the housing arrangement with AMR Ambulance Services.

**8. CITY MANAGER REPORT** None to report.

**9. CITY ATTORNEY REPORT**

a. With reference to the G Street property east of 9<sup>th</sup> Street, the court has appointed a receiver and the receiver took possession of the property. The property will be boarded up or torn down and sold.

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

**11. CLOSED SESSION**

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

- a. Conference with Legal Counsel – One (1) Case  
Maria Garcia vs. City of Brawley

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

Conference with Legal Counsel – Two (2) cases

**PERSONNEL MATTERS** (C.G.C. §54957)

- a. Public Employee Appointment to the Position of Finance Director

**CONFERENCE WITH LABOR NEGOTIATOR**

- a. Agency Designated Representative: Rosanna Bayon Moore, City Manager  
Employee Organization: Brawley Police Sergeants' Association, Brawley Public Safety Employees Association and Brawley Firefighters Association

**12. ADJOURNMENT @ 7:06 pm**



**Alma Benavides, City Clerk**