

**CITY OF BRAWLEY**  
**September 17, 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 @ 6:00 PM

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

**INVOCATION** Pastor Tom Charlton, Full Gospel Church

**PLEDGE OF ALLEGIANCE** CA Smerdon

**APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Couchman/Hamby 5-0

**1. 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. **Joe Garcia, Brawley resident of the 300 block of A Street** commented on fights that are taking place in front of his residence.

**Kelly Brown, Brawley Police Commander**, stated that he spoke with Mr. Garcia yesterday and reached out to School Resource Officer. PD is looking further into the matter.

b. Introduction of Assistant Chief Water Treatment Plant Operator Mariano Valenzuela by Public Works Director Guillermo Sillas

**Guillermo Sillas, Public Works Director**, introduced Mariano Valenzuela as the new Assistant Chief Water Treatment Plant Operator.

c. Update on Imperial County Illegal Dumping Task Force's Keep Imperial Valley Beautiful Campaign by Linsey J. Dale, County of Imperial Public Information Officer

**Linsey J. Dale, County of Imperial Public Information Officer** provided an update on Imperial County Illegal Dumping Task Force's Keep Imperial Valley Beautiful Campaign. This new campaign aims to focus efforts on bringing attention, awareness and education to the residents of Imperial County on how to properly dispose of trash and recyclables. The County is seeking the involvement of cities in the valley. The local trash companies, Farm Bureau, Vegetable Growers Association and different stakeholders are part of the conversation.

d. Update on Assembly Bill 1826: Mandatory Commercial Organics Recycling by German Hernandez, Republic Services Division Manager

**RSDM German Hernandez** provided updates on two Assembly Bills. AB 1826 is a mandatory commercial organics bill that talks about food and things people eat. AB 1594 takes effect on January 1, 2020 and is for waste materials

that can no longer be used as daily cover at the landfill. Republic Services will continue to provide education and outreach to businesses annually, seek to establish rates for the organics recycling program and address contamination.

**2. 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/Couchman 5-0

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

- a. **Approved** Accounts Payable: September 6, 2019 and September 13, 2019.
- b. **Approved** City Council Minutes: August 22, 2019.
- c. **Approved** Resolution No. 2019-44: Resolution of the City Council of the City of Brawley, California, Adopting a Lions Center Pool Cost Recovery Policy for Brawley Elementary School District and Brawley Union High School District as Public Institutions.

**3. SCHEDULED PUBLIC PRESENTATIONS**

- a. Introduction to Enterprise Fleet Management Services Concept by Greg J. Murphy, Sr. Account Executive

**Power Point Presentation** - Greg J. Murphy, Sr. Account Executive

Provided a brief synopsis to show and dilute as much information as we possibly can because there's quite a few numbers that go into managing a fleet to make this a quick and easy format for you to make educated decisions so I will go through this tonight and to be respectful of your time but I also don't want to shortchange anything so if anybody has questions please to ask. I started conversation with your City back in February and the real purpose of those meetings were to get a good understanding of what your fleet operation looked like usually the fleet ranks is one of the top expenses for a City to budget. It is always fun for us to come in and start evaluating those expenses to see if there is an opportunity for us to reduce those costs. So in your situation your fleet 40% of it is ten years or older, your current average age is twelve years and so for us the first step we do is gather a bunch of fleet information and find out is there an opportunity where our two organizations could benefit by working together so that's why I'm here tonight.

**4. REGULAR BUSINESS**

- a. Discussion and Potential Action to Approve Co-Sponsorship of Mobile Mexican Consulate Event on Saturday, September 21, 2019 from 9AM to 4PM at the Main Branch Library.

The City Council **approved the** Co-Sponsorship of Mobile Mexican Consulate Event on Saturday, September 21, 2019 from 9AM to 4PM at the Main Branch Library. m/s/c Kastner-Jauregui/Nava 5-0

- b. Discussion and Potential Action to Approve Brawley Elks Lodge Request for Alcohol Sales and Consumption on City Property on Saturday, October 26, 2019 from 10AM to 6PM.

The City Council **approved the** Brawley Elks Lodge Request for Alcohol Sales and Consumption on City Property on Saturday, October 26, 2019 from 10AM to 6PM . m/s/c Nava/Couchman 4-1 Hamby naye

- c. Discussion and Potential Action to Authorize the Purchase of a Trailer-Mounted Valve Exercise Machine for the Public Works Department in an Amount Not to Exceed \$60,585.89.

The City Council **authorized** the Purchase of a Trailer-Mounted Valve Exercise Machine for the Public Works Department in an Amount Not to exceed \$60,585.89. m/s/c Couchman/Nava 5-0

- d. Discussion and Potential Action to Approve 1st Reading of Ordinance No. 2019- : Ordinance of the City Council of the City of Brawley, California Amending the City of Brawley Fireworks Ordinance.

The City Council **approved** the 1st Reading of Ordinance No. 2019-03: Ordinance of the City Council of the City of Brawley, California Amending the City of Brawley Fireworks Ordinance. m/s/c Couchman/Hamby 5-0

- e. Discussion and Potential Action to Approve 1st Reading of Ordinance No. 2019- : Ordinance of the City Council of the City of Brawley, California Adopting a Cost Recovery Policy for Emergency First Responder Costs Incurred and Resolution No. 2019 – : Resolution of the City Council of the City Council of the City of Brawley, California Setting the Amount of Fees to be Assessed for Emergency First Responder Services.

The City Council **approved** the 1st Reading of Ordinance No. 2019-04: Ordinance of the City Council of the City of Brawley, California Adopting a Cost Recovery Policy for Emergency First Responder Costs Incurred and Resolution No. 2019 – : Resolution of the City Council of the City Council of the City of Brawley, California Setting the Amount of Fees to be Assessed for Emergency First Responder Services. m/s/c Couchman/Kastner-Jauregui 5-0

## **5. DEPARTMENTAL REPORTS**

- a. Marjo Mello, Library Director and Interim Parks & Recreation Director reported Summer 2019 Library and Parks & Recreation Program Statistics.
- b. Mike York, Interim Fire Chief announced the Open House on October 12, 2019 from 9AM to 1PM at Fire Station No. 2 at 1505 Jones Street.
- c. Tyler Salcido, Finance Director provide an Update on FY 2017/18 Audit

Staff has submitted all of the required information to the auditors, including trial balance accounts, complete financial drafts and staff notes. Phil White, the team lead, has provided a timeline in writing to which City staff has taken exception. The financial draft is currently going through the quality control process. The single audit, which is the schedule of expenditures that also are included in the audit, should be back in City hands by 27 September. In the last email received, the second week of October was referenced. Staff will continue to follow up on a daily basis by email and phone to keep the process moving.

**CM Hamby** asked if Tyler Salcido sees the procedure for next year's process going a little smoother or easier. The schedules that are completed and updated should improve work flow. Staff is already working on that process for next year.

- D. Guillermo Sillas, Professional Engineer/Public Works Director
  - i) Emergency Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins and to Recondition Water Distribution Pumps and Motors 422 and 423

A couple important dates were reported. On September 4, the contractor provided finalized shop drawings to the City for the consultant to review. On September 9, the contractor visited the WTP to confirm one-basin measurements with the shop drawings. On September 11, the City and Consultant provided comments to the contractor. On September 18, the contractor will visit the WTP again to confirm the second basin measurements to be able to order the parts. The project is moving along. The

contractor will confirm the dimensions to order the parts for replacement in the month of October.

RE: Pumps 422 and 423, the City was informed by the contractor that on September 12 they removed pump 422 and took it to the shop. It was disassembled and inspected for rehabilitation. At that time, approximately 10 to 12 weeks was estimated for new parts. However, the team located similar parts with the same efficiency. It is another brand that will be \$5,000 cheaper per pump and will take less than half of the time to arrive.

ii) Emergency Installation of Traffic Signal at Cesar Chavez and Main Street

On September 12, the contractor's crew worked on site to replace the traffic signal cabinet with the temporary one. On the same day, Public Works noticed that the left turn pocket on Main Street going eastbound was not registering. The contractor asked to place the signal in flashing mode until the next day to allow them to trouble shoot it. On September 13, the electricians came back, repaired the problem, and found detecting loop damage. The permanent cabinet has to be manufactured and is expected to be installed by the end of November or during the first weeks of December.

iii) Community Clean Up Day is Saturday, October 19, 2019 from 7AM to 2PM at the Brawley Municipal Airport

iv) The 2019 Cattle Call Parade Chair Protocol was reviewed.

**6. INFORMATIONAL ITEMS**

a. North County Coalition for the Arts (NoCCA) Invitation to A Night "Off" Broadway, September 21, 2019 at Stockmen's Club.

**7. CITY COUNCIL MEMBER REPORTS**

**Hamby:** Attended Chamber Mixer at Busy Bee Floral, Northend Council and Parks & Recreation Commission Meetings. Extended an invitation to the NoCCA Gala on Saturday, September 21, 2019.

**Couchman:** Attended Chamber Mixer at Busy Bee Floral, American Legion BBQ, Library Board Meeting. Expressed appreciation for staff's work on items passed today.

**Nava:** It is important to recognize staff and the efforts the City is working on. It takes time to implement the policy changes.

Attended Chamber Mixer at Busy Bee Floral and a recent Mexican Consulate event. The City of El Centro collaborated for a Pancho Villa exhibit at the Old Post Office Pavilion.

He is working with Mayor on the Elk's Rib Cook Off event and hopefully expanding it to a much larger event in the future that incorporates the Gateway to Glamis theme.

**Kastner-Jauregui:** Attended Chamber Mixer at Busy Bee Floral and MANA event. Noticed and reported signal lights not working at Caesar Chavez. Thanked staff that take care issues noticed by City Council and community members. Thanked staff for the signs installed at Volunteer Park and Jeff Kissee Park.

**Wharton:** Met with BESD Superintendent Rundhaug and Trustee Rebollar regarding a Health and Wellness Campaign and other happenings in Brawley. Has been in continuous communications with COLAB. Met with the Cattle Call Rodeo Committee. This year's

Rib Cook Off event will link the Elks Lodge with Polaris.

**8. CITY MANAGER'S REPORT**

- a. She has been in contact with the County of Imperial regarding the next phase of North 8<sup>th</sup> Street / Old HWY 111 Improvements. Once completed, the roadway segment will be relinquished to the City. The Board of Supervisors will consider an action item in the near future to authorize the expenditure associated with what will be a change order to the City's contract with API. The County Public Works Director is in communication with COLAB and the property stakeholders along the corridor about the alternative routes and how to minimize disturbances to commercial activity in the area.
- b. At a recent meeting of the City and County Managers' Association, there was a presentation on the potential benefits of refunding or restructuring debt associated with the LTA bonds from 2012. The savings for the City of Brawley is estimated for the term remaining at approximately \$42,000 per year.
- c. The City is awaiting announcement of the soft opening date for Los Cabos. It will be set based on the issuance of the ABC License.
- d. The Parks and Recreation Commission is considering two potential projects which include installation of community funded outfield fencing at Meserve Park and a temporary baseball backstop at Jeff Thornton Park. The team is also working on scheduling two community activities to express appreciation to both BESD and IID. BESD donated a free library receptacle to be installed at the Alyce Gereaux Park and IID supported the installation of ADA workstations that are now part of library operations.

**9. CITY ATTORNEY REPORT**

- a. Update on 14<sup>th</sup> and I Street the tenants have been evicted so cleanup should start soon.

**10. CITY CLERK REPORT**

- a. The League of Cities dinner is next Thursday, September 26 at the Town Pump in Westmorland.

**11. CLOSED SESSION**

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

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

EXISTING LITIGATION (C.G.C. §54956.9)

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

Frankie Rodriguez, Pablo C. Lopez, Marco A. Garcia, Omar Balderas, Gerardo Vindiola, David Villalobos, Julian Jimenez, Ricardo Rosales, Daniel Atondo, David Siquieroz, Jonathan Gutierrez, Anthony Padilla, Julio Velasquez, Roberto Orozco, Mariano C. Valenzuela, Jr., Raul Bernal, Ralph Walker, Jose Limon, Pete Guzman and Robert Limon on behalf of themselves and all other employees similarly situated vs. City of Brawley.

CONFERENCE WITH LABOR NEGOTIATOR (C.G.C. §54957.6)

- a. Agency Designated Representative: Rosanna Bayon Moore, City Manager Employee Organizations: Teamsters.

**13. RE-CONVENED TO OPEN SESSION**

The City Council acted to approve the Settlement Agreement and General Release with Brawley Firefighters Association. m/s/c Hamby/Nava 5-0

**14. ADJOURNMENT @ 8:15 pm**

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Alma Benavides, City Clerk