

CITY OF BRAWLEY
October 31, 2019

The City Council of the City of Brawley, California met in special session at 12:00 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 the meeting to order @ 12:03 PM

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

INVOCATION CM Hamby

PLEDGE OF ALLEGIANCE CM Couchman

APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Couchman/Kastner-Jauregui 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. **George Wetjen, Recruiting Assistant for the Census Bureau**, announced the 2020 Census is around the corner. Census takers are currently being recruited. He met with the City Manager earlier today and courses of action were discussed. He was glad to hear that the City of Brawley is being very proactive on the census count. The census is very important for the country and county. It takes accurate count of the citizens that live here. It ensures that resources are distributed to different parts of the State. It also provides for equal representation in Congress. For each person that does not get accounted for, \$2,000 per year is not realized locally. When multiplying over 10 years that's a significant amount of money lost. There is a local team in the valley, hitting all the Cities and areas, trying to recruit people to be census takers. The census officially kicks off April 1st. Follow up with people who did not respond back to the census will try to account for every person in the Imperial Valley.

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: October 18, 2019 and October 25, 2019
- b. **Approved** Memorandum of Understanding with Brawley Union High School to Furnish a School Resource Office (SRO).

- c. **Approved** the Purchase of UV Lamps, Ballasts and Sleeves for the Wastewater Treatment Plant UV Disinfection System for \$40,851.13 from DC Frost Associates, Inc.

3. REGULAR BUSINESS

- a. Discussion and Potential Action Accepting the Audited Financial Statements for the City of Brawley for the Fiscal Year Ended June 30, 2018.

The City of Brawley has completed its Annual Financial Report audit for the Fiscal Year ended June 30, 2018. The audit was conducted by the Certified Public Accounting Firm of Eide Bailly LLP (EB) who acquired Vavrinek, Trine, Day & Co. LLP (VTD) in July of 2019. The City was audited on its governmental activities, business type activities, each major fund and the aggregate fund information for the City of Brawley.

The audit was conducted in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. The auditors' responsibility is to express an opinion on the presentation of the City of Brawley's financial statements. The opinion provided was unmodified, the highest opinion that auditors can give on the financial statements.

At the close of Fiscal Year 2017-18, the General Fund reports to have used \$1,308,861 of its reserve fund balance, decreasing the General Fund Balance to \$729,618 (as stated on page 57 of the Annual Financial Report). Actual General Fund Revenues received were under the projected estimates in the amount of \$571,825. Total General Fund Expenditures exceeded the budgeted amount by \$16,482,272 and Total Other Financing Sources (Uses) were over the budgeted amount by \$16,121,820 creating a net variance of \$360,452. This net variance was due to unbudgeted Pension Obligation Bond transactions.

The City Council **accepted** the City of Brawley Audited Financial Statements for Fiscal Year Ended June 30, 2018.
m/s/c Couchman/Hamby 5-0

- b. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California In Support of the Declaration of Local Emergency at the Salton Sea by the County of Imperial.

Ryan Kelley, County Board of Supervisor District #4 stated that declaration was announced last week due to the rationale that the sea is rising faster than any of the planning that is occurring in California. The projects aren't happening. The State produced the Salton Sea Management Program but no activity on the ground has occurred. Projects are languishing. There was a Stakeholders Meeting earlier this month where the timetables have been pushed back again on all projects. This is an emergency.

The City Council **adopted** Resolution No. 2019-48: Resolution of the City Council of the City of Brawley, California In Support of the Declaration of Local Emergency at the Salton Sea by the County of Imperial. m/s/c Couchman/Kastner-Jauregui 5-0

- c. Discussion and Potential Action to Adopt City Council Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Approving a Vehicle Lease Agreement with Enterprise Fleet Management EFM as a Qualified Bid through Sourcewell, Formerly the National Joint Powers Alliance, a Cooperative Purchasing Program.

Tyler Salcido, Finance Director - Power Point Presentation

Tyler Salcido, Finance Director stated management has been working with Enterprise Fleet Management (EFM) to determine the feasibility of the City entering into a vehicle maintenance and leasing program. EFM provides fleet

services to well over 100 governmental organizations in California and has provided a qualified bid through Sourcewell, formerly the National Joint Powers Alliance, and a cooperative purchasing program, of which the City is a member.

Greg Murphy, Enterprise Senior Account Representative, provided an overview and presentation on fleet maintenance services.

- **Powerpoint presentation on file with the Office of the City Clerk.**

CM Hamby asked about the tradeoffs involved with outsourcing and how long it would take to accomplish fleet replacement and what is the potential savings.

CM Bayon Moore said 24/7, 365 day service is not part of the proposed model. Maintenance activities will take place during normal business hours. The transition requires a change in expectation for immediate turnaround of repair and maintenance activities. Fleet replacement will be a function of budget dollars available. The proposed changes are estimated to result in annual savings of \$201,576 a year in maintenance division expenses.

The City Council **adopted** City Council Resolution No. 2019-49: Resolution of the City Council of the City of Brawley, California Approving a Vehicle Lease Agreement with Enterprise Fleet Management EFM as a Qualified Bid through Sourcewell, Formerly the National Joint Powers Alliance, a Cooperative Purchasing Program. m/s/c Nava/Hamby 5-0

- d. Discussion and Potential Action to Adopt City Council Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California in the Matter of Uniform Public Construction Cost Accounting Procedures and Approve Ordinance No. 2019- : Ordinance of the City Council of the City of Brawley Adding Chapter 21c to the Brawley Municipal Code for the Purpose of Providing Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act.

CA Smerdon stated he was asked by the City to prepare a proposed resolution and ordinance that would enable the City to opt into the Uniform Construction Cost of Account Procedures (“the alternative procedures”) which have been established by the Uniform Cost Accounting Procedures Act, (“the Act”). The Act provides alternative procedures that cities and counties may adopt for bidding out public works projects. The advantage that the Act provides is that it increases the dollar amount thresholds for projects that agencies may perform with their own forces, and it allows agencies to adopt informal bidding procedures for larger projects up to an established dollar value.

Projects that exceed the threshold established for informal bidding procedures must be put out to bid using the normal bidding procedures established in the Public Contracts Code. Currently under the Act, an agency may use its own forces to construct projects with dollar value of \$60,000.00 or less. And, an agency may use informal bidding procedures for projects with a dollar value of \$200,000.00 or less. (Under certain circumstances the threshold for informal procedures may be increased to \$212,500.00.) Under the traditional public contracting system, the dollar threshold for projects that may be performed by an agency’s own forces is \$5,000.00. There are no informal bidding procedures in the traditional public contracting system. Every five years, these thresholds are reviewed and if necessary are adjusted for inflation.

CM Nava stated that it is important to ensure that no favoritism is exercised.

CM Bayon Moore commented that the change in ordinance is requested to move more rapidly in the procurement process to accomplish more projects.

CM Kastner-Jauregui asked if it would be advertised in the local paper. **CA Smerdon** said the informal procedure does not require advertising in the local paper.

CM Couchman stated the concern that everyone is notified. If not, there will be complaints.

CM Bayon Moore indicated that staff could develop a proposed protocol, bring it back to the City Council and talk about how the list will be initially established.

The City Council **adopted** City Council Resolution No. 2019-50: Resolution of the City Council of the City of Brawley, California in the Matter of Uniform Public Construction Cost Accounting Procedures and Approve Ordinance No. 2019- : Ordinance of the City Council of the City of Brawley Adding Chapter 21c to the Brawley Municipal Code for the Purpose of Providing Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act. m/s/c Nava/Couchman 5-0

4. DEPARTMENTAL REPORTS

a. Guillermo Sillas, City Engineer/Public Works Director

Emergency Construction at the Brawley Water Treatment Plant 1) to Replace Components of Two Sedimentation Basins and 2) to Recondition Water Distribution Pumps and Motors 422 and 423

- 1) On October 25, 2019, Lee & Ro provided comments on submittals and shop drawings. The contractor is behind schedule. An explanation has been requested, along with a revised schedule to recover.
- 2) On October 21, 2019, the contractor informed that after sandblasting the pump column pipe, many imperfections were observed. The total column replacement cost is \$2,595. A coating costs \$750 but it will void the warranty. Replacement of the column is recommended based on the savings from the impeller replacement. The pump should be back within the second week of November.

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

- 1) Temporary signal cabinet has been working properly since October 7, 2019 and the permanent cabinet is expected to arrive by the end of November

5. INFORMATIONAL REPORTS

a. 2019 Cattle Call Events

b. 2020 City of Brawley Calendar

c. Record of Building Permits for September 2019 prepared by Oscar Escalante, Interim Building Official.

6. CITY COUNCIL MEMBER REPORTS None to report.

7. CITY MANAGER REPORT

a. The community meeting to review the Remedial Action Plan for the former Pure Gro site will take place at the ACC on December 5, 2019 from 6-8PM at the ACC at 890 B Street.

8. CITY ATTORNEY REPORT None to report

9. CITY CLERK REPORT None to report

10. CLOSED SESSION

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

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

11. ADJOURNMENT @ 1:15pm

Alma Benavides, City Clerk