

**CITY OF BRAWLEY**  
**April 16, 2019**

The City Council of the City of Brawley, California met in regular session a 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 Pro-Tempore Kastner-Jauregui** called meeting to order @ 6:00PM

**PRESENT:** Couchman, Hamby, Kastner-Jauregui, Nava  
**ABSENT:** Wharton

**INVOCATION** Pastor Richard Rodriquez, House of Bread Ministries

**PLEDGE OF ALLEGIANCE** CM Hamby

**1. APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Nava/Couchman 4-0 Wharton absent

**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. **Jesse Jauregui, Brawley Resident**, stated he was concerned about speeding in the vicinity of Phil Swing School in the alley on North El Cerrito between River Drive and A Streets. Parents are dropping of their children at school driving 30mph.
- b. **Police Chief Sawyer** introduced newly appointed Police Officer Ricardo "Rick" Valadez.

**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/Couchman 4-0 Wharton absent

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

- a. **Approved** Accounts Payable: April 5, 2019, April 11, 2019 and April 12, 2019.
- b. **Adopted** Resolution No. 2019-11: Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Replacement of Failing Air Conditioner Units at the Brawley Police Department by Artic Air for \$7,800.
- c. **Adopted** Resolution No. 2019-12: Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Police Department in the Amount of \$6,491.94.
- d. **Approved** Contract Change Order No. 1 for Project No. 2018-03: Volunteer Parking Lot Improvement

Project, Phase 2 in the Amount of \$12,896.17 to Pyramid Construction and Aggregates and Authorize the City Manager to Execute all Documentation in Relation to the Project.

**4. TABLED ACTION AFTER PUBLIC HEARING ON APRIL 2, 2019 – CONTINUED TO SPECIAL CITY COUNCIL MEETING SCHEDULED ON MAY 21, 2019.**

- a. Modification of the Conditions of Approval for the Latigo Ranch (TM05-01) Major Subdivision.
  - i. City Council Discussion & Potential Action

**5. REGULAR BUSINESS**

- a. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California, to Incorporate a List of Projects Funded by SB1: The Road Repair and Accountability Act in Fiscal Year 2019-2020.

The City Council **adopted** Resolution No. 2019-13: Resolution of the City Council of the City of Brawley, California, to Incorporate a List of Projects Funded by SB1: The Road Repair and Accountability Act in Fiscal Year 2019-2020. m/s/c Couchman/Nava 4-0 Wharton absent

- b. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California, Authorizing the Submission of the City of Brawley’s Proposed Projects in response to ICTC’s Surface Transportation Block Grant (STBG) 2018 Call for Projects for Fiscal Years 2019/2020, 2020/2021 and 2021/2022.

The City Council **adopted** Resolution No. 2019-14: Resolution of the City Council of the City of Brawley, California, Authorizing the Submission of the City of Brawley’s Proposed Projects in response to ICTC’s Surface Transportation Block Grant (STBG) 2018 Call for Projects for Fiscal Years 2019/2020, 2020/2021 and 2021/2022. m/s/c Nava/Couchman 4-0 Wharton absent

- c. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Public Works Department in the Amount of \$21,000.

The City Council **adopted** Resolution No. 2019-15: Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Public Works Department in the amount for \$21,000. m/s/c Hamby/Couchman 4-0 Wharton absent

- d. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Public Works Department in the Amount of \$30,000.

The City Council **adopted** Resolution No. 2019-16: : Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Public Works Department in the Amount of \$30,000. m/s/c Couchman/Nava 4-0 Wharton absent

- e. Discussion and Potential Action to: 1) Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Amending Fiscal Year 2018/2019 City of Brawley Budget for the Fire Department in the Amount of \$9,330.16; and 2) Authorize the Brawley Fire Department to Purchase a Utility Truck / Command Vehicle Via a Piggyback Provision of the State of California Contract 1-18-23-20A and Install Certain Features and Equipment in a Total Amount Not to Exceed \$54,326.

The City Council **adopted** Resolution No. 2019-17: Resolution of the City Council of the City of Brawley, California

Amending Fiscal Year 2018/2019 City of Brawley Budget for the Fire Department in the Amount of \$9,330.16; and 2) Authorize the Brawley Fire Department to Purchase a Utility Truck / Command Vehicle Via a Piggyback Provision of the State of California Contract 1-18-23-20A and Install Certain Features and Equipment in a Total Amount Not to Exceed \$54,326. m/s/c Nava/Couchman 4-0 Wharton absent

- f. Discussion and Potential Action Approve the Updated Project Cost in an Amount Not to Exceed \$31,743.87 to Repair Sewer Lift Station No. 3 Located in the Latigo Ranch Subdivision.

The City Council **approved** the Updated Project Cost in the Amount Not to Exceed \$31,743.87 to Repair Sewer Lift Station No. 3 located in the Latigo Ranch Subdivision. m/s/c Couchman/Hamby 4-1 Wharton absent

**6. DEPARTMENTAL REPORTS**

- a. Announcement of Upcoming Brawley Public Library’s Star Wars & Free Comic Book Day on May 4, 2019 from 10am to 4:30pm.

**7. CITY COUNCIL MEMBER REPORTS**

**Hamby:** Attended Flag Ceremony at the Brawley Chamber of Commerce; Chamber of Commerce Mixer at the American Legion; Taco Showdown; Parks & Recreation Commission Meeting. Commented on the tree planting program underway in the City and at local schools.

**Couchman:** Attended Pioneers Memorial Hospital Antique Sale; IID Board Meeting regarding Best Canal; Easter Egg Hunt; Public Library Book Sale, Taco Showdown; Pioneers Museum Dinner, IVROP Foundation Meeting and Police Officer Swearing In.

**Nava:** Attended Chamber of Commerce Mixer at the American Legion; Parents Day at Channel Island University; IVEDC Quarterly Meeting; SCAG Meeting; La Serenita Apartments Ground Breaking. Looking forward to the upcoming Energy Summit.

**Kastner-Jauregui:** Attended IID Board Meeting; toured various filming sites with Charla Teeters, Imperial County Film Commission’s Executive Director and met a film crew.

**8. CITY MANAGER REPORT**

- a. Provided an Overview of Merit Increases & Cost of Living Adjustments (COLAs) in a PowerPoint Presentation.
- b. Met with U. S. Census Bureau Representatives who are focused specifically on California accomplishing an accurate count. There is potential for a future City Council resolution to pledge the City’s commitment to ensuring that historically undercounted residents are captured. An accurate count will determine future state and federal resources for Brawley.

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

**10. CITY CLERK REPORT**

- a. The Employee Recognition Luncheon is tomorrow at 11:30am Hidalgo Hall.

**11. CLOSED SESSION**

**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

PERSONNEL MATTERS (C.G.C. §54957)

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

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

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

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 and Pete Guzman, on behalf of themselves and all other employees similarly situated vs. City of Brawley

- b. Maria Garcia, et al vs. City of Brawley

**12. RE-CONVENED IN OPEN SESSION**

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

- a. Maria Garcia, et al vs. City of Brawley

City Council approved a settlement with plaintiffs in this matter which is summarized as follows:

The City shall stipulate to the issuance of a writ of mandate ordering that the City Council's decision approving AMG & Associates, LLC's Relocation Impact Report for Brawley Mobile Park with the additional required condition of an additional payment of \$500.00 per household, as to the entire Mobilehome Park premises, without granting any rights to any former tenants or residents of the Mobilehome Park, or persons claiming rights as tenants of the Mobilehome Park other than PLAINTIFFS, without any further action by the City being necessary.

The City also agreed to pay the sum of \$15,000 as attorneys' fees and court costs. The settlement agreement was a compromise and the City does not admit any liability. m/s/c Nava/Kastner-Jauregui 4-0 Wharton absent

**13. ADJOURNMENT @ 6:51 pm**

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**Alma Benavides, City Clerk**