

CITY OF BRAWLEY
May 7, 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 Wharton called meeting to order @ 6:00PM

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

INVOCATION CM Hamby

PLEDGE OF ALLEGIANCE CM Nava

Mayor Wharton dedicated the meeting in memory of Mike Mello, Library Director Marjo Mello's husband who recently passed away.

1. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Couchman/Hamby 4-0 Kastner-Jauregui 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. **Gil Rebollar, Brawley Elementary School District Trustee** stated that Chronic Absenteeism is a huge issue BESD. He is proposing a resolution be adopted to bring together the elementary school, high school, Chamber of Commerce and City officials to form a team to see how it can be addressed. He would also would like to introduce the new Superintendent.
- b. **Guillermo Sillas, Public Works Director** introduced newly appointed Utility Worker 1 Javier Renteria.

3. SPECIAL PRESENTATION

- a. **Mayor Wharton** presented **Lee Quarcelino, Veterans Representative**, with a City proclamation declaring May 2019 as Veterans Appreciation Month.

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 Nava/Couchman 4-0 Kastner-Jauregui absent

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

- a. **Approved** Accounts Payable: April 19, 2019, April 25, 2019 and May 3, 2019.

- b. Adopt Resolution No. 2019-18: Resolution of the City Council of the City of Brawley, California Adopting the City of Brawley Password Policy.
- c. Approve Change Order No. 001 to Contract 2018-05: Streets Rehabilitation Phase 11 (Geotechnical Testing) for \$0.
- d. Approve the Award of Project No. 2019-02: Purchase of Chemical Products for City of Brawley Water Treatment Plant, Wastewater Treatment Plant and Parks & Recreation.
- e. Adopt City Council Resolution No. 2019-19: Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Roof Repair and Repair of Two Failing Air Conditioning Units at the Brawley Police Department for \$33,229.44.
- f. Discussion and Potential Action Discussion and Potential Action to Approve the Purchase of Ultra Violet (UV) Lamps, Ballasts and a Pump Kit Modular Bearing for the Wastewater Treatment Plant UV Disinfection System from DC Frost Associates, Inc. in the Amount of \$39,354.24.

5. REGULAR BUSINESS

- a. Discussion and Potential Action to Approve the 1st Reading of Ordinance No. 2019- : Ordinance of the City Council of the City of Brawley, California, Amending the Business License Fee Schedule for “Sidewalk Vendors,” Formally Known as “Peddlers” or “Solicitors.”

CA Smerdon stated that in Section 4 of the proposed ordinance an amendment will be necessary. After further review it was determined that the City needs to retain sections 16.91, 16.92 and 16.93 of the Municipal Code so when approving the First Reading, it is requested that Council approve it in an amended form, removing the language repealing sections 16.91, 16.92 and 16.93. For the second reading of the ordinance, the necessary revision will be in place.

CM Bayon Moore stated that this action came forward as a result of a new business that has opened in the City of Brawley. The business made apparent the need for a revisit of City Ordinance as it relates to sidewalk vendors. Beginning in 2019, laws changed significantly to accommodate different types of vendors that may operate within any city in the State of California. The intention of these changes is to comply with new State regulations.

The City Council **approved** the 1st Reading of Ordinance No. 2019-02: Ordinance of the City Council of the City of Brawley, California, Amending the Business License Fee Schedule for “Sidewalk Vendors,” Formally Known as “Peddlers” or “Solicitors” in an amended form, removing the language repealing sections 16.91, 16.92 and 16.93. m/s/c Couchman/Nava 4-0 Kastner-Jauregui absent

- b. Discussion And Potential Action To Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins by Gierlich-Mitchell, Inc. in an Amount Not to Exceed \$1,087,460.

PWD Guillermo Sillas reported that on November 6, 2018, the City Council was informed of the emergency conditions at the Water Treatment Plant Sedimentation Basins. The age of the components and potential plant failure were identified as posing a significant risk to continuous operations. Based on assessments at the Water Treatment Plant and the actual threat to continuous Water Treatment Plant Operations, staff recommends the immediate commencement of work associated with the replacement components at the two sedimentation basins.

CM Bayon Moore stated that the time required to accomplish a traditional procurement pathway is estimated to significantly elongate the overall timeline to 14.5 months and introduce avoidable risk to supply of the clean and safe drinking water. Soliciting competitive bids adds 4 to 5 months for construction timeline to modify plans and specifications, advertise, schedule City Council action, execute an agreement and issue a Notice to Proceed.

The City Council **approved** Resolution No. 2019- 20: Resolution of the City Council of the City of Brawley, Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins by Gierlich-Mitchell, Inc. in an Amount Not to exceed \$1,087,460.

6. DEPARTMENTAL REPORTS

- a. Monthly Staffing Report for May 2019 - Shirley Bonillas, Personnel & Risk Management.

7. INFORMATIONAL REPORTS

- a. Record of Building Permits for March 2019 in the City of Brawley, Prepared by Oscar Escalante, Interim Building Official.
- b. Attendance Summary & Minutes for City of Brawley Boards/Commissions from January 1 thru March 31, 2019.
 - 1) Brawley Airport Advisory Commission
 - 2) Brawley Parks & Recreation Commission
 - 3) Brawley Planning Commission

8. CITY COUNCIL MEMBER REPORTS

Hamby: Attended IVC Hall of Fame Banquet, Chamber of Commerce Cleanup Event, May the 4th Be with You at the Public Library, the Mega Mixer at the Hidalgo Hall. Everyone is invited to NoCCA's performance of the "Newsies" from May 17th thru 19th at Palmer Performing Arts.

Couchman: Attended IVC Hall of Fame Banquet, Renewable Energy Summit, Desert Wildlife Event, May the 4th Be with You event at the Library, IID's Meeting where they funded 75% of the Best Canal and met with Marty Coyne.

Nava: Attended SCAG Conference in Palm Desert and met with Assembly Member Eduardo Garcia in He briefed on what's happening with the Assembly Bill that's been proposed to add members to the IID Board. Attended Renewable Energy Summit, ground breaking for Chelsea on I Street and Dancing with the Stars. Met with some local business officials and others.

Wharton: Congratulated The Desert Review for winning several awards. Reported on one on one discussions with Developer from Latigo Ranch. Indicated he would like to meet with staff of regarding future potential at the City of Brawley Municipal Airport. Also in May is National "EMS Week" in recognition of first responders.

9. CITY MANAGER REPORT

- a. Along with Finance and many City Departments, action items from the General Fund Workshop are in progress. At the next City Council Meeting, policies to guide preparation on a going forward basis will be proposed. The City may elect to take a closer look at 100% recovery from City Leagues and a policy that might consider cost recovery of other services that are more of a loss.

- b, Expressed appreciation of the Public Works Department for addressing a very difficult water break that affected the Stockmen’s Club on a recent night of a dinner that was scheduled with food preparation underway. An incredible effort was undertaken on the part of Streets and Utilities Personnel to keep water running and ensure that event could still take place.

10. CITY ATTORNEY REPORT

- a. Mobile Home Park Agreement was executed.
- b. Gallery Night at D & S Arts on Friday, May 17, 2019.

11. CITY CLERK REPORT Nothing to report.

12. CLOSED SESSION

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

- 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

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

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

13. ADJOURNMENT @ 6:52 pm

Alma Benavides, City Clerk