

CITY OF BRAWLEY
June 18, 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 CM Hamby

PLEDGE OF ALLEGIANCE CM Kastner-Jauregui

1. APPROVAL OF AGENDA

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

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. **Humberto Montiel, Southwest Carpenters**, introduced himself and co-workers in the audience. They are a union of 50,000 plus workers in the Southwest Region. Members live in the Imperial Valley and travel out of the valley to work. They would like to be considered for future events and projects in the City. They want to build a relationship with local elected officials and the community.
- b. **Mike Morris, Owner of Brawley Quick Lane**, stated that he and about 6 or 7 other business owners want to buy a dog, send the dog and officer to be trained. It would allow the City to confiscate vehicles on drug busts, sell them and put money back into the budget to help compensate the officers. Community members are willing to pay for the dog to donate to the Brawley Police Department, a year's worth of food, training for the dog and the officer. It is estimated at \$25,000 thousand dollars. He asked the City Council to think about another way of putting some money. He will buy the cars that are confiscated. The dog will help the officer because it is adding another officer.

PC Sawyer commended Mr. Morris for the interest he is taking. The BPD would like to launch a canine program. Asset forfeiture has restrictions which may or may not include wages and salaries. There are specific guidelines from the State, Department of Treasury and the Department of Justice. The Chief expressed he supports the concept of a canine. The idea is part of Chief's 3 year plan and he appreciates the partnership with the community.

- c. Update by German Hernandez, Republic Services Division Manager

RSDM Hernandez reported on the Clean-up Event that took place at the Brawley Municipal Airport on April 13. There were 307 customers, 39 roll-off containers or 78.27 tons. Seventy (70) tons of Solid Waste Material was taken to the landfill. Eight (8) loads were sorted for metals for recycling so that was 17.84 tons. In total, there was almost 100 tons.

RSDM Hernandez provided an update on organics and state legislation. The audit was completed. Employees went door to door and performed detailed audits. They identified 41 total food candidates that meet the exemption as Tier 3. If a business generate four yards or more, as of 2021, Assembly Bill 1826 is going to require food waste to be organics to be recycled. A total of 15 out of the 41 do not meet that mandate but 26 do. Republic Services is going to work with them so they can also be accepted by donating to food banks. The intent is to ensure that the City of Brawley is in compliance and there are no fines. Brawley is in good standing with with CalRecycle..

RSDM Hernandez also shared an update on Main Street Alley clean-up efforts. There have been concerns with large furniture and appliances dumped in the alleys. Republic is working with City Staff and the Brawley Chamber of Commerce on a solution, not just picking up trash.

CM Nava said that the public needs to be educated through Social Media or somehow.

CM Bayon Moore indicated that a Utility Billing insert is scheduled in both English and Spanish describing the free services that are available to Single-family residences for bulky item pick up.

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 5-0

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

- a. **Approved** Accounts Payable: June 6, 2019 and June 14, 2019
- b. **Approved** City Council Minutes: April 29, 2019 and May 7, 2019
- c. **Reject** Claim as recommended by Carl Warren & Company Claims Management Adjusters for Claimant: Gloria Sumaya.
- d. **Approved** Contract Change Order No. 001 to Contract 2018-05 Streets Rehabilitation Phase 11 (Construction) for \$0.00 and Extend the Contract Time by 45 Calendar Days.
- e. **Adopted** Resolution No. 2019-31: Resolution of the City Council of the City of Brawley, California Adopting the Work Week for all City of Brawley Non-Sworn Personnel.

4. REGULAR BUSINESS

- a. Discussion and Potential Action to Provide a Letter of Support Requesting a New International Boundary and Water Commission (IBWC) Minute Order that Ensures the Health, Safety and Welfare of Imperial Valley Residents and Visitors.

Presented by - Ryan Kelley, Chairman for the Imperial County Board of Supervisors District 4

ICBS Kelley mentioned that the County is taking action to challenge the International Boundary Water Commission in regards to the New River's discharge into Imperial Valley. The County requests that the City join in supporting this action.

The City Council **approved** the Action to Provide a Letter of Support Requesting a New International Boundary and Water Commission (IBWC) Minute Order that Ensures the Health, Safety and Welfare of Imperil Valley Residents and visitors. m/c/ Kastner-Jauregui/Couchman 5-0

- b. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Adopting the Vacation Leave Buy Back Program Policy and Eliminating the Sick Leave Buy Back Program for Management, Confidential, and Unrepresented Employees.

The City Council **adopted** Resolution No. 2019-32: Resolution of the City Council of the City of Brawley, California Adopting the Vacation Leave Buy Back Program Policy and Eliminating the Sick Leave Buy Back Program for Management, Confidential, and Unrepresented Employees. m/s/c Nava/Hamby 5-0

- c. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Authorizing and Approving Interim Expenditures Prior to Adoption of the FY 2019-20 Overall Budget for the City of Brawley.

The City Council **adopted** Resolution No. 2019-33 : Resolution of the City Council of the City of Brawley, California Authorizing and Approving Interim Expenditures Prior to Adoption of the FY 2019-20 Overall Budget for the City of Brawley. m/s/c Couchman/Kastner-Jauregui 5-0

5. DEPARTMENTAL REPORTS

- a. Public Works Department – Wildcat Drive Project Overview, Emergency Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins.
 - 1. Wildcat Drive Project Overview - The complete package was sent yesterday to Caltrans for construction authorization. Several next steps were enumerated.
 - 2. Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins - The contractor reviewed contract documents and sent them out to the bonding company to prepare the bonds.
 - 3. Traffic Signal at Main and Cesar Chavez – The City contacted the Traffic Engineer for Imperial Valley. He offered to contact the Electrical Supervisor for District 11 to see if they can find a cabinet that they could donate to the City. Unfortunately, they were not able to find it but the Engineer is doing another search with another section of Caltrans. In the meantime, the City received a written preliminary quote from a local company to purchase and install but it was not detailed. They said this week they will go to site and do more of a detailed quote.
 - 4. Regarding railroad crossings, staff met this morning with Union Pacific Inspectors and visited 5 sites. Two are more critical crossings - Malan and B Stree crossings. UPRR will not do major reconstruction but they definitely will do repairs by welding and asphalt patching to raise the tracks.

6. CITY COUNCIL MEMBER REPORTS

- Hamby:** Attended the Planning and Parks & Recreation Commission Meetings. Was contacted by a concerned community member about our Parks offering basketball court privileges and the fencing going up. Attended a tree planting ceremony in Plaza park. Johnny on Wheels donated a tree through Comite Civico Del Valle and dedicated that tree in the memory of Mike Mello. Expressed thanks to the Parks & Recreation Department for their hard work. Also attended the Ribbon Cutting at One Drop Café. Was contacted by a community member about alley cleanup in residential areas. Is there any collaboration either between a private citizen, Republic Services and the City to start to do some cleanup? Has been contacted numerous times about railroad crossings in town being rough.
- Couchman:** Attended Imperial Valley Food Bank Dinner, Rotary Dinner Kick for Out-Going and In-Coming President, Ribbon Cutting at One Drop Café, Imperial Irrigation Meeting to receive a check for the City's summer swim programs.
- Nava:** Participated in the Walk and Talk Tour with the City of El Centro Community Services Director and Imperial County Association of Realtors for Economic Development, attended Brawley Union High School Graduation where his son graduated and just celebrated his daughter's 2nd birthday.
- Kastner-Jauregui:** Attended One Drop Café Ribbon Cutting, IID meeting where each City in the valley was presented with a check for summer swim programs. There are community members really interested in the Tennis Courts at Meserve Park. They are working on searching for grant funds. There are also people interested in turning it into a dog park bringing different ideas forward. Attended graduations for two granddaughters - one from IVC and the other from 8th grade and would like to thank the Carpenters Union for being here and offering to assist.
- Wharton:** Attended several meetings with the Off-Road Community and retailers, including big players such as Polaris and potentially staging a preseason event for the Off-Road season coming up in the fall. Attended Ribbon Cutting for One Drop Café. Fireworks season is coming up and the same communications will go out. Council had some discussion about considering looking over the ordinance to potentially increase fines.

7. CITY MANAGER REPORT Nothing to report.

8. CITY ATTORNEY REPORT

- a. Filed a petition for an injunction to cleanup a property on 14th and I Streets. The owners were served. They do not live there. They reside in a very nice house in El Centro. Hopefully, they will do something about their house in Brawley.

9. CITY CLERK REPORT

- a. Reminder regarding the Branding Iron Award Dinner on Friday, June 21, 2019.

- b. Staff is obtaining more information on the Andy Ruiz, Jr. parade that will take place on Saturday, June 22, 2019.

10. CLOSED SESSION

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

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

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

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

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

PERSONNEL MATTERS (G.C. §54957)

- a. Public Employee Evaluation - City Manager

11. RE-CONVENED IN OPEN SESSION

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

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

The City Council **unanimously** ratified the agreement with the City of Brawley and Brawley Firefighters Association.
m/s/c Nava/Hamby 5-0

12. ADJOURNMENT @ 7:00 pm

Alma Benavides, City Clerk