

CITY OF BRAWLEY
September 3, 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 at @ 6:01 PM

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

INVOCATION CM Hamby

PLEDGE OF ALLEGIANCE CM Nava

APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Nava/Couchman 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. **Gil Rebollar, Brawley resident**, thanked Chief Sawyer and Police Officers for attending the school supply drive at Brownie's Diner and the Brawley Public Safety Employee Association for the Splash Pad. He requested the Lions Center Pool Cost Recovery item be tabled until the next meeting. BESD recently received a presentation from the County Public Health Department on student health. He expressed interest in collaborating on a health initiative to address this serious issue.
- b. **Shawn Rizzutto, Caltrans District 11**, provided a presentation on the Mud Pots, north of Niland on SR-111 and anticipated detours. Detour signs will be posted. The total work duration is no more than 80 days with 1 to 2 full weeks of full road closure. The public will be informed and Caltrans is working closely with ICTC and Imperial County Public Works.

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 Couchman/Nava 5-0

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

- a. **Approved** Accounts Payable: August 22, 2019 and August 29, 2019
- b. **Approved** City Council Minutes: July 16, 2019

3. REGULAR BUSINESS

- a. Discussion and Potential Action to Approve Request for a Transportation Fee Waiver in the Total Amount of \$367,290 for 200 Residential Units in Malan Park and Victoria Park to Construct the North Half Width of Wildcat Drive.

The City Council **approved** the waiver of the transportation portion of development impact fees at \$1,836.45/unit for 221 units in Malan Park and 94 units in Victoria Park for a total corrected number of 315 residential units in the total amount of \$405,855.45 to Construct the North Half Width of Wildcat Drive. m/s/c Couchman/Kastner-Jauregui 5-0

- b, Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Full Reconditioning of Water Distribution Pumps and Motors 422 and 423 by Brax in an Approximate Amount of \$128,214.56, plus 10% Contingency.

The City Council **adopted** Resolution No. 2019-38: Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Full Reconditioning of Water Distribution Pumps and Motors 422 and 423 by Brax in an Approximate Amount of \$128,214.56, plus 10% Contingency. m/s/c Nava/Couchman 5-0

- c. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Declaring an Emergency and Authorizing Repair of Traffic Signal at Cesar Chavez and Main Street by St. Francis Electric in an Approximate Amount of \$43,750.

The City Council **adopted** Resolution No. 2019-39: Resolution of the City Council of the City of Brawley, California Declaring an Emergency and Authorizing Repair of Traffic Signal at Cesar Chavez and Main Street by St. Francis Electric in an Approximate Amount of \$43,750. m/s/c Couchman/Nava 5-0

- d. Discussion and Potential Action to Adopt Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California, Adopting a Lions Center Pool Cost Recovery Policy for Brawley Elementary School District.

The City Council **tabled** this item to the next City Council Meeting.

- e. Discussion and Potential Action to Approve Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Airport Advisory Commission with Terms Ending June 30, 2021.

Brawley Airport Advisory Commission

1. Tony Friley
2. Elizabeth Kern

The City Council **adopted** Resolution No. 2019-40: Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Airport Advisory Commission with Terms Ending June 30, 2021. m/s/c Kastner-Jauregui/Hamby 5-0

- f. Discussion and Potential Action to Approve Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Library Board of Trustees with Terms Ending June 30, 2022.

Brawley Library Board of Trustees

1. Crystal Duran
2. Liz Lorenzen

The City Council **adopted** Resolution No. 2019-41: Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Library Board of Trustees with Terms Ending June 30, 2022. m/s/c Couchman/Kastner-Jauregui 5-0

- g. Discussion and Potential Action to Approve Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Parks & Recreation Commission with Terms Ending June 30, 2022.

Brawley Parks & Recreation Commission

1. Victor Estrada
2. Jenny Benavides

The City Council **adopted** Resolution No. 2019-42: Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Parks & Recreation Commission with Terms Ending June 30, 2022. m/s/c Couchman/Hamby 5-0

- h. Discussion and Potential Action to Approve Resolution No. 2019- : Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Planning Commission with Terms Ending June 30, 2023.

Brawley Planning Commission

1. Robert Palacio
2. Darren Smith
3. Juan Diego Tavares

The City Council **adopted** Resolution No. 2019-43: Resolution of the City Council of the City of Brawley, California Appointing Members to the Brawley Planning Commission with Terms Ending June 30, 2023. m/s/c Nava/ Kastner-Jauregui 5-0

- i. Discussion and Potential Action re: Regular City Council Meeting Date of October 15, 2019 and California League of Cities Conference.

The City Council moved Regular City Council Meeting Date of October 15, 2019 to Monday, October 14, 2019.

4. DEPARTMENTAL REPORTS

- a. Personnel & Risk Management Department - Monthly Staffing Report for September 2019.
- b. Update on Emergency Construction at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins, Traffic Signal at Cesar Chavez and Main Street by Public Works Director Guillermo Sillas, PE.
 1. The contractor continues to prepare for the job. The drawings will be submitted for review and scheduled work/installation is slated to start in October.

2. A temporary cabinet will be installed and the wiring will be repaired for the pedestrian signal.

5. CITY TREASURER'S REPORT

- a. Investment Summary as of June 30, 2019

6. CITY COUNCIL MEMBER REPORTS

Hamby: Attended the Groundbreaking Ceremony for First Imperial Credit Union, Beautifying our Old Town Committee Meeting at Sylvia's Little Treasurers. Received some phone calls from citizens that have been passed on to the City Manager. Some of the concerns were the railroad crossings on B Street and Malan, homeless encampments between K Street and Malan along railroad tracks. Congratulations to Lloyd Miller on his newspaper's anniversary.

Couchman: Went dove hunting on September 1st. California is in the process of killing hunting with their hunting and ammunition requirements. It has affected hunting. It affects the City economically with less people in hotels, restaurants and retail stores. Union Pacific is slated to start work on the B Street crossing.

Nava: Thanked staff for working hard and taking on new roles. Is excited to see new businesses and improvements coming in to the community, including Los Cabos Seafood. The business will bring more traffic into the downtown area. Let's keep the momentum going.

Kastner-Jauregui: Attended the Groundbreaking Ceremony for First Imperial Credit Union and the Brawley Union High School Safety Meetin. Is glad to see construction going on at Panno Road for IV Respite Medical Health Services and is looking forward to their grand opening in the near future. Thanks to all City staff and City Manager for being accessible to assist with constituent issues.

Wharton: Participated in opening dove season. For the past few years, have been involved in supporting the Wounded Warriors Program with some hunting locations and sponsorship. The economic impacts of change have affected the whole valley. Local hotels stated that they were affected as much as 30%. Brawley is a great host for so many that come down and actually take advantage of the outdoor sports. Thanked both Lloyd and Betty for their dedication to the Desert Review.

7. CITY MANAGER'S REPORT

- a. State of California Housing and Community Development will be visiting for an Audit to review files; projects that will be evaluated are as follows: Sewer Manhole Rehabilitation, Purchase of the Fire Apparatus, Hinojosa Park and the Senior Center Project.
- b. With reference to the Old Highway 111 / 8th Street project within City of Brawley City Limits, the City Council took prior action regarding future relinquishment. County work is tentatively scheduled and will be presented as a change order for the City's contract awarded to address City ROW. The County will cover the cost of the work being performed and at the conclusion of the County ROW project, the City will assume responsibility for the roadway.
- c. A number of local nonprofits came together to support outreach related to the Census 2020 Complete Count. Three groups combined together to submit a proposal including Comite Civico del Valle, Our Roots

Muti-Cultural Center and Campesinos Unidos to assist with outreach related tasks that are leading up to the deadline for the census. Brawley will have the opportunity to work with these groups to increase messaging. The school districts have also signed on along with Pioneers Memorial Hospital to assist.

- d. City is working along with the Cattle Call Rodeo Committee and the Imperial County Public Health Department to produce some joint public education about clean hands, especially on the last day of the rodeo when a petting zoo is being featured. The Del Mar Fair experience has provided lessons learned. This is a great opportunity for us to work proactively together to push the clean hands message points and there will be washing stations incorporated into the area and signage being produced and posted. The Rodeo Committee is cost sharing for signage.
- e. An action item will be coming regarding the segment of Allen Street that had a waterline break. Staff is evaluating the options to restore the roadway. The conditions in the area present a challenge due to the age of the infrastructure and patching limitations.

8. CITY ATTORNEY REPORT

- a. Code Enforcement Update on I Street - Ten tenants have been evicted and the landlord is back in possession of the property. A notice has been given under the Civil Code that the landlord has to give the tenants to retrieve property before it can be disposed.

9. CITY CLERK REPORT

- a. Reminder of the mixer for Busy Bee, Thursday, September 5, from 5:30PM to 7:00PM.

10. 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.

12. ADJOURNMENT @ 7:50 pm

Alma Benavides, City Clerk

