

**CITY OF BRAWLEY**  
**February 4, 2020**

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 Kastner-Jauregui** called meeting to order @ 6:00 PM

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

**INVOCATION** Pastor Joey Mara, Victory Outreach

**PLEDGE OF ALLEGIANCE** CM Couchman

**1. APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Hamby/Couchman 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. **Marjo Mello, Library Director** announced the book sale this coming Saturday, February 8, 2020 from 9am-1pm at the Main Library.
- b. Introduction of Newly Hired **Accounting Assistant Jessica Castillo** by Finance Director Tyler Salcido.
- c. Proclamation Declaring February 7-14, 2020, National Marriage Week in the City of Brawley presented to Ms. Maria Lopez-Pantoja, IVROP Project Coordinator

**Mayor Kastner-Jauregui** presented proclamation.

**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 Wharton/Couchman 5-0

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

- a. **Approved** Accounts Payable: January 24, January 10, and January 31, 2020
- b. **Approved** Adopt Resolution No. 2020-09: Resolution of the City Council of the City of Brawley, California Authorizing a Continuous Resolution Destruction Schedule for Brawley Police Department Public Records.

- c. **Awarded** Geotechnical and Materials Testing Contract to Landmark Consultants, Inc. for Project No. 2019-07 Allen Street Water Pipeline Replacement Improvements Project in the amount of \$23,010.00, with a 10% Contingency Set Aside for an Amount Not to Exceed \$25,311.00.
- d. **Adopted** Resolution No. 2020-10: Resolution of the City Council of the City of Brawley, California Authorizing the Submission of the City of Brawley's 5-Year Program List of Projects Funded by Measure D for Years 2020 through 2024, beginning January 1, 2020 through December 31, 2024.

**4. REGULAR BUSINESS**

- a. Discussion and Potential Action to Award Project No. 2019-07 Allen Street Water Pipeline Replacement and Improvements Project to Granite Construction Company in the Amount of \$613,316 with a 10% Contingency Set Aside for an Amount Not to Exceed \$674,647.60.

The City Council **approved** the Award of Project No. 2019-07 Allen Street Water Pipeline Replacement and Improvements Project to Granite Construction Company in the amount of \$613,316 with a 10% Contingency Set Aside for an amount not to exceed \$674,647.60. m/s/c Couchman/Nava 5-0

- b. Presentation of FY 2019/2020 Mid -Year Budget Review by Tyler Salcido, Finance Director\*
  - Power Point Presentation materials are on file and available upon request at the Office of the City Clerk.
- c. Discussion and Potential Action to Approve Auditing Services Contract with Moss Levy & Hartzheim for FY Ending June 30, 2019 in the Amount of \$54,500.

The City Council **approved** the Auditing Services Contract with Moss Levy & Hartzheim for FY Ending June 30, 2019 in the amount of \$54, 500. m/s/c Couchman/Wharton 5-0

- d. Discussion and Potential Action to Adopt Resolution No. 2020- : Resolution of the City Council of the City of Brawley, California Accepting Grant Funds Allocated to the Citizen's Option for Public Safety (COPS) Program and Submittal of the Expenditure Plan for FY 2018/2019 Funding through the State of California Local Safety and Protection Account.

The City Council **approved** Resolution No. 2020-11: Resolution of the City Council of the City of Brawley, California Accepting Grant Funds Allocated to the Citizen's Option for Public Safety (COPS) Program and Submittal of the Expenditure Plan for FY 2018/2019 Funding through the State of California Local Safety and Protection Account. m/s/c Hamby/Wharton 5-0

- e. Discussion and Potential Action to Adopt Resolution No. 2020- : Resolution of the City Council of the City of Brawley, California Authorizing the City to Apply for an Award from the Infill Infrastructure Program.

The City Council approved Resolution No. 2020-12: Resolution of the City Council of the City of Brawley, California Authorizing the City to Apply for an Award from the Infill Infrastructure Program. m/s/c Nava/Couchman 5-0

- f. Discussion and Potential Action to Approve Los Amigos de la Comunidad's Request for Sale and Consumption of Alcohol on Public Property, Specifically on Main Street, North and South Plaza Park on Saturday, March 28, 2020 for the Cesar Chavez Community Celebration from 10am to 11pm.

The City Council **approved** Los Amigos de la Comunidad's Request for Sale and Consumption of Alcohol on Public Property, Specifically on Main Street, North and South Plaza Park on Saturday, March 28, 2020 for the Cesar Chavez Community Celebration from 10am to 11pm. m/s c Nava/Couchman 4-1 Hamby Naye

- g. Discussion and Potential Action to Approve Submittal of a Letter of Support to the California Energy Commission for the Salton Sea Geothermal Lithium Recovery Demonstration Project at the Request of Berkshire Hathaway Energy (BHE) Renewables.

The City Council **approved** letter of Support to the California Energy Commission for the Salton Sea Geothermal Lithium Recovery Demonstration Project at the Request of Berkshire Hathaway Energy (BHE) Renewables in behalf of the City Council. m/s/c Wharton/Couchman 5-0

## **5. DEPARTMENTAL REPORTS**

- a. Update by Public Works Director Guillermo Sillas, PE
  - i) 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) The emergency continues. On Wednesday, January 29, 2020, the contractor started the demolition and removal of the materials at the Sedimentation Basin. The materials to be installed arrived the same day. They expect to complete demolition this week.
    - 2) With reference to the emergency project, it is now complete. On January 30, 2020, the contractor installed Pump 423 at the Water Treatment Plant and it has been operating to expectation.
- b. Update on Efforts to Restore Girls and Adult Softball Leagues by Marjo Mello, Interim Parks & Recreation Director.
  - 1) Staff is very pleased to report that the community is coming together to restore the Girls Softball league this season. The Parks & Recreation Commission spearheaded the effort. Registration will be \$60 for Brawley residents and nonresidents will pay an elevated amount. Signups will start March 10.
  - 2. Letters went out to coaches from last year for the Adult Softball Leagues to initiate dialogue. The total league cost was provided with a breakdown per team. No major conversations have arisen as of yet, although they are expected as the typical time of the season approaches.

## **6. INFORMATIONAL REPORTS**

- a. Monthly Staff Report for February 2020, prepared by Shirley Bonillas, Personnel & Risk Management Administrator
- b. Record of Building Permits for December 2019 in the City of Brawley, Prepared by Oscar Escalante, Interim Building Official.
- c. Attendance Summary & Minutes for City of Brawley Boards/Commissions from October 1 – December 31, 2019.
  - 1) Brawley Airport Advisory Commission
  - 2) Brawley Parks & Recreation Commission
  - 3) Brawley Planning Commission

- 4) Brawley Library Board of Trustees

**7. CITY TREASURER REPORT**

- a. Quarterly Investment Summary through December 2019

**8. CITY COUNCIL MEMBER REPORTS**

- Couchman:** Provided Mulberry School with a history presentation for grades 4 through 8 on the Civil War; participated in reenactment of the Civil War in Yuma, participated in Imperial County Historical Society's Pioneer Day at Pioneers Museum.
- Nava:** Attended State of the City for El Centro. Now serving as the Chairperson for ICTC. Thanked everybody for the hard work. There are challenging times ahead. Thanked everyone for commitment to the City.
- Wharton:** The HGTV project was a wonderful community effort. It was great work product and collaboration.
- Hamby:** Attended Library and Chamber Board Meetings and Pioneer Day; participated in a Winter Clothing Drive last month and has since distributed those clothes to different elementary schools in Brawley. Also joined the I Love Brawley photo shoot.
- Kastner-Jauregui:** Participated in the Point in Time Count. Attended the I Love Brawley HGTV event at the Kiosk, the El Centro State of the City Address and the Eagle Scout Court of Honor for Dominic Fiorenza. He is looking forward to State of the City Address on March 5, 2020 at the Lions Center.

**9. CITY MANAGER REPORT** Nothing to report

**10. CITY ATTORNEY REPORT**

- a. Attended Dominic Fiorenza's Eagle Scout event as he is one of his black belt students.

**11. CITY CLERK REPORT**

- a. Provided update on Boards/Committees/Commission applications. City Council directed to continue effort to solicit applications.

**12. CLOSED SESSION**

**REAL PROPERTY NEGOTIATIONS**

- a. Conference with Real Property Negotiator – (California Government Code §54956.8)  
Address: 225 A Street, Brawley, California  
Negotiator: City Manager  
Negotiating Parties: Boys & Girls Club  
Under Negotiation: Rate and Terms

The City Council **unanimously** approved the agreement between the City of Brawley and Boys and Girls Club. m/s/c Hamby/Couchman 5-0

EXISTING LITIGATION (California Government Code §54956.9)

- a. Conference with Legal Counsel – Two (2) Cases
  - i. 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.
  - ii. Brawley Public Safety Employee Association, Jeremy Schaffer, David Holetz, Jorge Garibay, Darlene Garcia, Dennise Montano, Nathan Montes-Gonzalez, Karla Razo, Daniel Swithenbank, Daniel Schleyer, Ricardo Gutierrez, Juan Morales, Ana Amaya, Brian Harsany, Angelica Garcia, Martha Garcia, Javier Martinez, Jake Yuhas, Dean Beckwith, Ricardo Valdez, David Pham, Stephen James Dyroff, Adriana Ruiz, Jon Dellinger, Isaac Romo, Jesse Yuhas, Susanne Nickel, Rudy H. Nunez, Diana Diaz, Sixto Moreno, JoonKim, Francisco Mendoza, Maghen Caudill, Regina Kim vs. City of Brawley.

POTENTIAL LITIGATION (California Government Code §54956.9)

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

PERSONNEL MATTERS (Government Code §54957)

- a. Public Employee Appointment to the Position of Police Chief

The City Council **unanimously** ratified the Agreement between the County of Imperial and the City of Brawley for the Imperial County Sheriff Department to provide Interim Police Chief Services. m/s/c Nava/Couchman 5-0

ADJOURNMENT @ 7:29pm

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**Alma Benavides**, City Clerk