

CITY OF BRAWLEY
March 3, 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, Kastner-Jauregui, Nava, Wharton
ABSENT: Hamby

INVOCATION CM Nava

PLEDGE OF ALLEGIANCE CM Wharton

1. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Nava/Couchman 4-1 Hamby 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. There was none.
- b. **Introduction** of Newly Hired Community Services Officer Veronica Vargas, by Interim Police Chief Scott Sheppard.

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 Couchman/Wharton 4-1 Hamby absent

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

- a. **Approved** Accounts Payable: February 20, 2020 and February 27, 2020
- b. **Approved** Action to Designate Imperial County Transportation Commission as the Lead Administrative Agency for the Imperial Valley Resource Management Agency (IVRMA).

4. REGULAR BUSINESS

- a. Discussion and Potential Action re: Consumer Price Adjustment (CPI) Rate Adjustment for All Solid Waste, Recycling and Street Sweeping Services and Pass Through Costs for Implementing the State Mandated 2020 Organics Waste Recycling Program per California State Assembly Bill 1594 (AB1594) and AB1826.

Tyler Salcido, Finance Director stated the Solid Waste Disposal and Recycling Franchise Agreement between the City of Brawley and Republic Services provides for an annual CPI adjustment. For 2020, the CPI adjustment will be 2.5%. Republic Services proposes an increase in the commercial customer rate by the CPI of 2.5% and to waive the CPI increase for the residential customers. Republic Services has also proposed a pass-through of \$475,455 of expenses for the processing of organics and the green waste recycling program that was mandated by AB 1826. Staff recommends the allocation of the organics recycling costs. Commercial Customers will see a 5.0% Increase (2.5% CPI increase for Organics plus additional 2.5% for recycling costs). Residential Customers will carry the remainder of Organics Recycling Costs of \$1.88.

Peter Steinberg, Republic Services General Manager and German Hernandez, Division Manager mentioned that as a result of a change in legislation as it relates to organics, there are 2 waste streams. There is no local solution right now and there is no compost facility partly because the volume is not that great that is generated in Imperial Valley. Republic Services' plan is to send to their Copper Mountain Landfill which is in Arizona where it is sited with a composting permit and waste coming from Southern California, San Diego, Riverside and Orange County. With reference to pass through costs, the \$475,000 anticipated cost is for 3 franchises in the County, so each city will take a portion of that cost. Republic Services is seeking cost recovery to cover the cost to load, transport and process that material into compost, as well as to establish that program for the commercial customers.

CM Nava mentioned that this will help the City remain in compliance with mandates passed by the State.

Mr. Steinberg said part of the legislation is not clear. It says you have to establish a program and this is the only way to establish a program and to compost material at this time.

CM Wharton clarified for the public. Is there a revisit on how it is actually operating and maybe some of the cost for the forecasting that goes into this process?

Mr. Steinberg indicated Republic Services is committed to each one of the cities quarterly updates.

Mayor Kastner-Jauregui asked when is the implementation start date?

Mr. Steinberg stated it will become effective in March.

The City Council **approved** the Consumer Price Adjustment (CPI) Rate Adjustment for All Solid Waste, Recycling and Street Sweeping Services and Pass Through Costs for Implementing the State Mandated 2020 Organics Waste Recycling Program per California State Assembly Bill 1594 (AB1594) and AB1826. m/s/c Nava/ Wharton 4-1 Hamby absent

b. Discussion and Potential Action to Adopt Resolution No. 2020- : Resolution of the City Council of the City of Brawley, California Appointment a Member to the Brawley Parks and Recreation Commission.

Mark Hamby, Brawley resident, urged the city Council to select someone with the vision, energy and tenacity to make a difference for the City when making this decision.

Richard Diaz, Brawley resident, said he applied for this position to get involved with the City and give back to the community. He has helped with Little League, Pop Warner and many fundraisers through the years.

Brawley Parks & Recreation Commission

1. Richard Diaz

The City Council **adopted** Resolution No. 2020-17: Resolution of the City Council of the City of Brawley, California Appointing a Member to the Brawley Parks and Recreation Commission with term ending June 30, 2021. m/s/c Nava/Couchman 4-1 Hamby absent

5. DEPARTMENTAL REPORTS

- a. 2020 Adult Softball League Update by Interim Parks & Recreation Director Marjo Mello.

Marjo Mello, Interim Parks and Recreation Director, thanked the City Council for the newly appointed Parks and Recreation Commissioner.

M. Mello provided handouts and summarized a recent meeting held with stakeholders. With a minimum of eight teams, the cost is \$1,231 per team with no scorekeeper.

- b. Update on Emergency Construction Project at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins by Public Works Director Guillermo Sillas, PE
 - 1) Last week the contractor completed the installation of the flights, chains, and motors installation at the west side sedimentation basin. Next week the electrical system will be installed and connections to the motors will be performed. The troughs are being manufactured and next week we expect to get a firm date for delivery, and plan for installation.

6. INFORMATIONAL REPORTS

- a. Monthly Staff Report for March 2020, prepared by Shirley Bonillas, Personnel & Risk Management Administrator

7. CITY COUNCIL MEMBER REPORTS

Couchman: Attended the COLAB Breakfast, Hidalgo Society Installation of Officers. Read to Witter School Students in honor of Read Across America Program. Gave a brief presentation on the Civil War to the Brawley Women’s Christian League.

Nava: Attended ICTC meeting. IVRMA took action and now is under ICTC. Attended a check presentation of the \$12 million check for the Ocotillo Springs project. Read to students at Witter, Hidalgo and Oakley School. Attended LTA Oversight meeting,

Wharton: Attended Hidalgo Officers Installation, ECRMC Foundation, 2 on 2 Chamber meeting. Talked in the past about a small Brawley Triathlon which we found through some exploration with staff there are some costs prohibitive factors mainly around closing roads and safety. There a new sport that is just swim and run, eliminating the bike element of it. Again, Lions Center area can work out really well. Will be coming back at Council maybe work through staff with some of the ideas and see if we can bring that back potentially even this spring as a kind of small community event.

Kastner-Jauregui: Attended the same events as fellow council members, Brawley Community appreciation at the SCFCU, COLAB State of the County Address, Assembly Member Garcia check presentation for Affordable Housing in Brawley. Serves as the keynote speaker for the Hidalgo Society Installation of Officers, participated in the Read Across America Kickoff at Witter, Oakley and Phil Swing Schools.

8. CITY MANAGER REPORT

- a. As a reminder, the State of the City Address is on March 19th. Doors open at 7:30am at the Lions Center and the presentation will begin at 8:00am. There is no charge for entrance.

- b. Upcoming Community Cleanup date set. Looking forward to continuing to make all our community members aware of the services that are available at no cost to residents.
- c. Parks & Recreation had some damage in Lions Center showers during the recent rains. We have a larger project that needs to be undertaken for a roof replacement at the facility.

9. CITY ATTORNEY REPORT

- a. There are a couple of code enforcement cases pending.

10. CITY CLERK REPORT None to report

11. CLOSED SESSION

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, Joon Kim, Francisco Mendoza, Maghen Caudill, Regina Kim vs. City of Brawley.

PERSONNEL MATTERS (Government Code §54957)

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

ADJOURNMENT @ 6:40pm

Alma Benavides, City Clerk