

**CITY OF BRAWLEY**  
**April 7, 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 the meeting to order @ 6:15 PM

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

**ABSENT:** None

**1. APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Couchman/Nava 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.

**To maintain social distancing, physical presence is strongly discouraged. Alternative methods of participation are encouraged and should a member of the public wish to provide public comments, please submit written comments via email to [abenavides@brawley-ca.gov](mailto:abenavides@brawley-ca.gov) or contact the City Clerk's Office at 760/351.3080. The deadline to submit comments is 2PM on April 7, 2020.**

State of California Governor Gavin Newsom waived specific portions of the Brown Act by Executive Order for the period that social distancing measures are recommended and required by state and local public health officials. The waiver of Brown Act provisions requires:

- a. Members of the public are allowed to observe and address public meetings telephonically or through other electronic means.
- b. Procedures "swiftly" accommodate any reasonable request to accommodate access by disabled individuals to meetings that are accessible telephonically or through other electronic means in accordance with the Americans with Disabilities Act ("ADA").
- c. Notice of the procedure is provided for making requests for such reasonable accommodation with the notice for any public meeting.
- d. **Katie Luna, CEO for the Brawley Chamber of Commerce** submitted a letter. Chamber of Commerce offices are currently closed but could staff can be contacted via by phone, email or social media platforms. A business recovery task force has been formed with the Brawley Chamber leading the effort and many local partners. The focus is to assist local businesses with securing funds during this emergency period. More information can be accessed by visiting their website at [ivbizrecovery.com](http://ivbizrecovery.com) or calling the Brawley Chamber of Commerce Office at 760-344-3160.
- e. **Johnny Sample, Community Member**, provided public comments , noting concern about dead trees in the City. They should be removed in 2020. The river bottom fire prompted him to ask that the effort be prioritized. He urges the City to establish a Save a Tree Campaign teaching school age youth about saving the trees. He also asks that trees be replaced with monies received from CalFire. He reminds the City Council that community health and well-being are in the hands of the City Council.



The City Council **approved** Resolution No. 2020-25: Resolution of the City Council of the City of Brawley Declaring an Emergency, Ratifying Action taken by the City Manager and Approving Emergency Repair/Replacement of the Sewer Lift Station No. 1 Pumps on 9<sup>th</sup> Street and Malan Avenue in the Amount of \$67,368.49 to Environmental Water Solutions USA, plus Contingency Amount to be determined based on Field Conditions. m/s/c Nava/Couchman 5-0

- b. Discussion and Potential Action to Adopt Resolution No. 2020- : Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2019/2020 City of Brawley Budget for the Fire Department in the Amount of \$47,683.39.

The City Council **approved** Resolution No. 202-26: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2019/2020 City of Brawley Budget for the Fire Department in the amount of \$47,683.39. m/s/c Nava/Wharton 5-0

- c. Discussion and Potential Action re: Emergency Replacement of Three Failing Air Conditioning Units at the Brawley Police Department.
  - i. Discussion and Potential Action to Adopt Resolution No. 2020- : Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action taken by the City Manager to Award a Contract to Desert Air Conditioning in the amount of \$31,710.00

The City Council **approved** Resolution No. 2020-27: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2019/2020 City of Brawley Budget for the Police Department for \$31,710.00. m/s/c Nava/Couchman

- ii. Adopt Resolution No. 2020-: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2019/2020 City of Brawley Budget for the Police Department for \$31,710.00.

The City Council **approved** Resolution No. 2020-28: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2019/2020 City of Brawley Budget for the Police Department for \$31,710.00. m/s/c Nava/Couchman

## **5. INFORMATIONAL REPORTS**

- a. Record of Building Permits for February, 2020 in the City of Brawley, Prepared by Oscar Escalante, Interim Building Official.

## **6. DEPARTMENTAL REPORTS**

- a. Monthly Staff Report for April 2020, Prepared by Personnel & Risk Management Administrator Shirley Bonillas.
- 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) Contractor completed the electrical connection of the motors and tested the system. This week, the contractor is scheduled to connect a Limit Switch, which is a protection system that will enable the SCADA system to stop the mechanism if there is a problem with the components.

**7. CITY COUNCIL MEMBER REPORTS**

- Couchman:** People are struggling with COVID-19. Everyone is encouraged everyone to stay safe, wear masks in public, and support local businesses. The river bottom fire involved great work from many different agencies.
- Nava:** Fire involved great work between City and County Fire Departments and all other agencies, communicating and working together. With reference to COVID-19, the community must work together to get through these unusual times, follow guidelines such as social distancing, wearing masks and staying home. The City will continue to post videos and information to inform citizens of update. Thanked fellow Council Members and staff for helping each other during this time.
- Wharton:** Expressed gratitude for City and County Fire Departments and all other agencies who helped with the fire at the river bottom. Thanked citizens who are following COVID-19 guidelines. Expressed gratitude to be part of a community that helps each other and supports one another during this pandemic.
- Hamby:** Has fielded calls from citizens regarding business reopening. With reference to the fire, everyone came together to assist and limit the damage.
- Kastner-Jauregui:** Glad to see everyone work towards one common effort with the river bottom fire. Reminded to maintain social distancing to help control the spread. Thanked CM Nava and CM Wharton for the informative videos. Current information is also being posted The Hub at Brawley EOC.

**8. CITY MANAGER REPORT**

- 1) Thanked all agencies and community members involved with the river bottom fire. It was a remarkable mutual aid effort and a reminder of why it is so important to invest in relationships with other agencies. When needed, the combined effort helps keep our community safe.
- 2) A letter of support from the City was requested by Comite Civico. They are pursuing a joint application to the State of California Strategic Growth Transformative Climate Communities Program with the County of Imperial County Air Pollution Control District. The proposed activity aims to focus attention on the northeast quadrant of Brawley.

**9. CITY ATTORNEY REPORT** None to report

**10. CITY CLERK REPORT** None to report

**11. CLOSED SESSION**

**EXISTING LITIGATION** (California Government Code §54956.9)

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

- 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.

POTENTIAL LITIGATION (California Government Code §54956.9)

- a. Conference with Legal Counsel – 1 Case

PERSONNEL MATTERS (Government Code §54957)

- a. Public Employee Appointment to the Position of Fire Chief
- b. Public Employee Appointment to the Position of City Engineer

CONFERENCE WITH LABOR NEGOTIATOR

- a. Agency Designated Representative: Rosanna Bayon Moore, City Manager  
Employee Organization: Brawley Firefighters Association

RE-CONVENED IN OPEN SESSION AND REPORTED THE FOLLOWING ACTION

- a. The City Council approved the Settlement Agreement and General Release for Rodriguez, et al. v. City of Brawley, Case No. 19-cv-657-DMS-LL In the United States District Court for the Southern District of California. m/s/c Nava/Kastner-Jauregui 5-0
- b. The City Council approved a Side Letter between the City of Brawley and the Brawley Firefighters Association re: COVID-19. m/s/c Nava/Wharton 5-0

**ADJOURNMENT** @ 6:44pm

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***Alma Benavides***, City Clerk