

**CITY OF BRAWLEY**  
**May 5, 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

**1. APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Couchman/Wharton 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, in person attendance is strongly discouraged. 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 written comments or schedule telephonic participation is 2PM on May 5, 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. There was no Public Appearances/Comments via email or by phone.

**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/Nava 5-0

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

- a. **Approved** Accounts Payable: April 24, 2020 and April 30, 2020

- b. **Approved** City Council Minutes: March 19, 2020
- c. **Rejected** Claim as recommended by Carl Warren & Company Claims Management Adjusters for Claimant: Subway #42195.

**4. REGULAR BUSINESS**

- a. City of Brawley Declaration of Local Emergency as a Result of COVID-19 Pandemic.
  - i. Update by Interim Brawley Fire Chief Mike York

**Interim Fire Chief Mike York** provided an outlook of the current emergency situation. The Imperial County Public Health Department has tested 2,682 patients. Of that number, there are 379 positive cases, 216 remain active, and 154 have recovered. Eighty-four of the total active cases were within the 92227 zip code and nine deaths have resulted from COVID countywide. The City is in daily communication with the County of Imperial Emergency Operations Center and other entities. A total of 1,550 cases in all from Baja California have been reported but no breakdown is available yet for Mexicali specifically. City efforts have been focused providing services that are within guidelines while protecting City employees. Face coverings for all City employees have been secured. First responders are currently operating with PPE but there is no guaranteed supply. Local and State partners are looking to procure more PPE.

- ii. County of Imperial Public Health Department Update by Director Janette Angulo and Deputy Director Jeff Lamoure.

**Director Janette Angulo and Deputy Director Jeff Lamoure** provided an update on the County's Roadmap to Recovery and shared additional information about Mexicali. Mexicali has 691 positive cases with 65 deaths. The County is in dialogue with the State about Phase 1 and a soft opening is planned for May 8<sup>th</sup> for bookstores, florists, sporting goods with curbside pickups and online sales. Phase 2 of the Roadmap to Recovery allows for higher risk activities, including offices if certain metrics are met. The possibility for opening higher risk workplaces such as malls and dine-in restaurants requires the County to meet thresholds. The number of cases must be stable, no more than 1 in 10,000 cases in a 14-day window and no deaths. A readiness plan for testing is also required. OptumServe is now present in the County through a State initiative for community testing with appointments online or by phone. Local healthcare systems are testing, too.

The number of deaths is also being tracked and monitored, in addition to containment efforts. The Epidemiology Department is responsible for tracing and planning for potential surge capacity. The second element within containment capacity is the ability to house homeless individuals. The County must make available temporary housing for homeless residents experiencing COVID-19.

In the area of hospital capacity, ECRMC and PMHD need to have at least 35% surge capacity to treat COVID-19 positive cases and a plan in place to protect the workforce and ensure availability of enough personal protective equipment. Finally, the re-opening must consider the potential for spikes that will require roll back of activities. These measures are for the health and safety of the community.

The County must have a minimum daily testing for County residents. The County is beginning to reach that number. The State launched an initiative where they provide labor for investigating offsite. The County will submit a readiness plan and an attestation from local Health Officer Dr. Munday, certifying readiness to move forward and open up other sectors of the community.

**CM Couchman** asked when small businesses will be re-opening.

**Jeff Lamoure** answered that initially the Governor’s Executive Order identifies essential services as those businesses that are considered critical services for infrastructure workers. The paradigm is moving away from essential services versus non-essential services to low risk versus high risk. The County is looking at getting businesses open as soon as possible. The Governor’s more detailed description of a phased approach will enable the County to further refine the Roadmap for opening these businesses. If there is a way to phase small businesses into phase 2 versus phase 3 and certain mechanisms such as “by appointment only,” the County is looking for such opportunities.

**Mayor Kastner-Jauregui** asked about the submittal of the readiness plan. Does the plan need to be approved at every stage?

**Jeff Lamoure** stated the County submits the readiness plan. The Governor has identified the County as the lead to prepare the plan in collaboration with local cities. The stakeholders gather the information together, demonstrate to the State how the goals have been met, and include the health officer’s certification.

**CM Wharton** thanked everyone. This has been a challenging time for the county and worldwide. The State approach is treating all 58 counties as if they are the same and clearly, there are population and density differences. What can be expected beyond Friday, May 8 in terms of milestones? What allows for the County and City to move forward in shaping and making decisions on how to open these businesses in a measured way? It sounds like agencies are bound to what the Governor is saying.

**Jeff Lamoure** stated that the Governor’s Executive Order is a one-size-fits all approach. It is a work in progress. There has been tremendous pushback from various counties. They are leaving it to the local jurisdictions to develop and frame their own plans. As to timing, the State is not necessarily going to dictate specific time frames; they are going to leave some of that latitude to the region to select. The key is to make sure that the business understands what measures they need to put in place and provide guidance on the basics to successfully re-open. A plan for businesses on social distancing and safety plan concepts are needed for the building, employees and customers. They can post this plan on their windows so that the community knows.

**CM Nava** asked if there was a list of best practices that the County can come up with and provide for businesses to help Brawley send the message to the business community from the County’s perspective.

**Jeff Lamoure** indicated that the County is developing a roadmap plan with a phased approach, organized by types of industry. This is a guidance document, that businesses can use for their employees also their customers.

**CM Hamby** asked if there are delays in the reporting of the number of deaths.

**Janette Angulo** mentioned there is a delay. There is a lag between when the data reaches the Health Department and when commercial laboratories provide the test results. The public is encouraged to visit the County dashboard where there are different trend lines. Test results are reported by date.

iii Presentation by Katie Luna, Brawley Chamber of Commerce Executive Director and IV Business Recovery Task Force Representative

**Chamber of Commerce CEO Katie Luna** updated the Council on the Brawley Chamber of Commerce. The office is closed to the public but staff continue to work remotely and are reachable via phone, email or thru the website. Events are on hold until further notice. A conversation in June with the Rodeo Committee and City Council will be pursued to determine if there is a green light for Cattle Call.

On the Imperial Valley Business Task Force, clear communication lines with business resource partners have been established with the Small Business Development Center, IVEDC, Imperial County Workforce Development, Joint Chambers and Reliance Public Relations. The task force has a focus on supporting the business community and

directing businesses to funding avenues. For furloughs and layoffs, they were directed to the Unemployment Department. A call center for businesses has been established for questions which can be directed to the individual or a proper location for an answer. Currently, the Task Force is Countywide and in the process of surveying the business community. A website is live and it is continuously being updated.

iv. Presentation by Simon Canalez, Brawley Union High School Superintendent

**Mr. Canalez** gave a brief update regarding Brawley Union High School District. He thanked all teachers in Brawley and Imperial County for all that they do in observance of National Teacher Appreciation Week. He acknowledged the staff at BUHS as they were recognized in US News and World Report as being the best High School and ranked number one in Imperial County. BUHS entered the 1<sup>st</sup> Phase of distance learning on March 17 and on April 27, the 2<sup>nd</sup> Phase began. This will extend to the end of the semester. The focus is to hold students harmless during this whole period and just provide assistance to them. Currently, the district maintains office hours that are open to the public by appointment only Mondays and Wednesdays from 8am to 12pm. BUHS also provides food services to residents 18 and under on Monday and Wednesday from 9:30am to 11:30am. BUHS is currently distributing close to 5,000 meals a week to residents in Brawley. The district anticipates offering some form of summer school. The 2020/2021 school year is scheduled to begin on August 17<sup>th</sup>. It may take the form of a combination of traditional instruction and distance learning to accommodate smaller groups and focus on transforming social distancing concepts. The main focus now is on celebrating the achievements of BUHS Seniors. A planning committee has been formed to determine all activities for Seniors including a virtual ceremony, a school drive through graduation ceremony and a fireworks show.

**Mayor Kastner-Jauregui** asked if the graduation plan will be posted on the website and how it is being communicated?

**Mr. Canalez** stated a special board meeting will focus on enhancing the activities and then the information will be shared.

**CM Hamby** mentioned that the Governor mentioned starting the school year early to try to catch up. Is that being left to individual districts?

**Mr. Canalez** stated BUHS is working with Imperial County Office of Education and a task force from San Diego County to develop a distance learning plan and potentially target opening up on a traditional date with a mixture of traditional and distance learning. The goal is to bring cluster sizes down to a manageable size that can mitigate some of the safety problems. He does not foresee anyone coming back in July in Imperial County.

**CM Wharton** asked about the potential fall athletic schedule.

**Mr. Canalez** stated that they are trying to gear up for what happens in the fall. There is a new CIF Commissioner in San Diego and he is diligently working on a contingency plan. A lot depends on what happens at the State level of CIF. It appears likely that there will be a couple of weeks delay probably into September. Practice may start but a couple of games may be shaved off the season. BUHS is hopeful about resuming these types of activities.

b. Discussion and Potential Action to Authorize the Engineering Design, Construction Support Services, and Construction Management Services for Water Treatment Plant Valve Actuators Replacement Project to Lee and Ro Inc. in an Amount Not to Exceed \$156,912.

The City Council **authorized** a professional services agreement with Lee and Ro Inc. for Engineering Design, Construction Support Services and Construction Management Services for the Water Treatment Plant Valve Actuators Replacement Project in an Amount Not to exceed \$156,912. m/s/c Couchman/Hamby 5-0

- c. Discussion and Potential Action to Authorize the Execution of a Maintenance Service Agreement with CLA-VAL, Co. for the Brawley Water Treatment Plant’s CLA-VAL Valves in an Amount Not to Exceed \$25,539.77.

The City Council **authorized** the Execution of a Maintenance Service Agreement with CLA-VAL, Co. for the Brawley Water Treatment Plant’s CLA-VAL Valves in an Amount Not to exceed \$25,539.77. m/s/c Couchman/Wharton 5-0

- d. Discussion and Staff Direction re: FY 2020/21 Revised Budget Meeting Schedule.

May 19, 2020	Mid-Year 2020/2021 Budget Review 4PM at City Council Chambers 383 Main Street
June 2, 2020	General Fund, Enterprise/Special Funds Workshop 9AM at City Council Chambers 383 Main Street

The City Council **approved** the revised Public Meeting Schedule for the 2020/2021 Budget Process.

**5. DEPARTMENTAL REPORTS**

- a. Monthly Staff Report for May 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 and Emergency Purchase of Sewage Pumps for Lift Station No. 1, Presented by Public Works Director Guillermo Sillas, PE.
  - 1) The Sedimentation basin rehabilitation project continues to produce water as expected; troughs have been delayed by a week and will be on site May 15. The Contractor is proposing to remove the chains and flight of Basin No. 2 while keeping Basin No. 1 in operation and have basin No. 2 rehabilitated. When the troughs arrive, they will complete basin No. 2 then empty Basin No. 1 and install troughs. The Project is expected to be completed by the end of June.
  - 2) The contractor Environmental Water Solutions anticipates to have the pump skid built and ready by May 8<sup>th</sup> with installation of pumps at Lift Station No. 1 on or before May 15<sup>th</sup>. The contractor will confirm the timeline.
- c. Update on Emergency Replacement of Three Failing A/C Units at Brawley Police Department, Presented by Interim Police Chief Scott Sheppard.
  - 1) Three A/Cs will be installed. One was wired and installed today and the two others will be installed May 7<sup>th</sup> or 8<sup>th</sup>.

## **6. INFORMATIONAL REPORTS**

- a. Attendance Summary & Minutes for City of Brawley Boards/Commissions/Committees from January 1 – March 31, 2020.
- 1) Brawley Airport Advisory Commission
  - 2) Brawley Parks & Recreation Commission
  - 3) Brawley Planning Commission
  - 4) Brawley Library Board of Trustees

## **7. CITY COUNCIL MEMBER REPORTS**

**Wharton:** Had numerous conversations and received many inquiries from businesses and various sectors on reopening. Looking forward to working with Council, healthcare partners, County and community members. He is very grateful for the updates that were given today.

**Nava:** Echoed same comments given by CM Wharton. Ha had multiple discussions with businesses and community members. Information sharing with the business community is important. Thanked staff and the public for being patient as it is challenging for everybody.

**Couchman:** He has received concerns and calls from business people within the community. There is a lack of information regarding whether they can or cannot open, what they can and cannot do. The City needs to support businesses, attempt to lobby or at least advocate for them at the State/County level in order to get those businesses back into operation. The City will see the impact of all of this for the next six or 12 months. There is a lot of pressure on everyone.

**Hamby:** Many people are calling and concerned about reopening. The mandate was to flatten the curve. If it's like an annual flu, with the changes in strains, everyone is going to have to figure out how to work with this thing each year and hopefully learn to live with it without the extreme measures taken this year. The City and County need to open in a safe and orderly fashion.

**Kastner-Jauregu:** It was promising to hear the report from the County Health Department and she is looking forward to some positive information to share with businesses. Businesses that need any assistance from are encouraged to call and all will work to get the information needed to get back into business or answer any questions regarding directives and safety guidelines.

## **8. CITY MANAGER REPORT**

- a. Summer 2020 Parks and Recreation Staffing - Typically around spring break, the City launches the annual recruitment for summer hiring for our summer programs. The City serves as an employer for many people in Brawley over the summer but because of the local emergency declaration, efforts have been placed on hold. The City is faced with ongoing uncertainty about what is going to be allowed or not allowed in the summer months.

- b. A number of requests and questions were bundled and presented to the County Health Department for consideration on a more aggressive timeline than what has been proposed to date. Dr. Munday has been opening to exploring these possibilities with the state. One example has been with dog grooming businesses.
- c. The City would like to thank the Agriculture Community, specifically the Imperial County Farm Bureau, Imperial Valley Vegetable Growers Association, IVH20 and Kay Pricola who delivered a remarkably generous meal provided to Fire Station Nos. 1 and 2 personnel. It was a thoughtful offering to Brawley's first responders.

**9. CITY ATTORNEY** None to report

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

**11. CLOSED SESSION**

PERSONNEL MATTERS (Government Code §54957)

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

POTENTIAL LITIGATION (California Government Code §54956.9)

- a. Conference with Legal Counsel – 2 Cases

**12. RE-CONVENE ED IN OPEN SESSION**

PERSONNEL MATTERS (Government Code §54957)

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

The City Council **unanimously** ratified the Employment Agreement between the City of Brawley and Michael Lee York. m/s/c Wharton/Couchman 5-0

**13. ADJOURNMENT** @ 8:30 pm

*Alma Benavides*, City Clerk