

CITY OF BRAWLEY
May 19, 2020

The City Council of the City of Brawley, California met in a special session at 4:00 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 @ 4:02 PM

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

PLEDGE OF ALLEGIANCE CM Wharton

Moment of Silence in honor of Fire Captain Daniel Bonillas.

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 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 19, 2020.

a. Cathy Sullivan Correspondence dated May 5, 2020 re: B Street Right of Way

Mayor Kastner-Jauregui indicated that she received a letter from Ms. Sullivan regarding a request that she has regarding her property on Best Road.

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 Nava/Couchman 5-0

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

a. **Approved** Accounts Payable: May 7, 2020 and May 15, 2020

b. **Approved** City Council Minutes: April 7, 2020

c. **Approved** Resolution No. 2020-31: Resolution of the City Council of the City of Brawley, California authorizing the Acceptance of an Allocation of Funds in the amount of \$30,000 and Execution of a Grant Agreement, Amendments, and other Documentation with the Federal Aviation Administration (FAA) for Coronavirus Aid, Relief and Economic Security (CARES) Act Grant at the Brawley Municipal Airport.

- d. **Rejected** Claim as recommended by Carl Warren & Company Claims Management Adjusters for Claimant: Subway #4219

4. REGULAR BUSINESS

- a. Discussion and Potential Action to Approve Agreement for Consulting Services between the City of Brawley and Castañeda & Associates for SB2 Planning Grant in an Amount Not to Exceed \$160,000.

The City Council **approved** the Agreement for Consulting Services between the City of Brawley and Castañeda & Associates for the SB2 Planning Grant in an Amount Not to exceed \$160,000. m/s/c Couchman/Nava 5-0

- b. Update on City of Brawley Declaration of Local Emergency as a Result of COVID-19 Pandemic.

- i. Overall Outlook Presented by Fire Chief Mike York

Fire Chief York provided an outlook of the current emergency. The Imperial County Public Health Department has tested 5,726 patients. Of that number, there are 876 positive cases, 529 remain active, 332 have recovered and 15 deaths have resulted from COVID-19. Our numbers across the border within the area of Mexicali is reported at 1,407 positive cases and 127 deaths. The liaison from Mexicali to the County EOC stated they are make a request for PPE and other treatment equipment. They are in dire circumstances. The operational area hospitals - Pioneers Memorial and El Centro Regional have been reporting that they are at near or above capacity in response. The County EOC has requested a Strike Team of Ambulances with five ambulances from out of the County to assist with transporting any additional and critical patients to areas outside of the County that are appropriate and available.

The City continues to maintain operations, trying to adjust to the guidelines and project what needs are in regards to PPE for personnel.

CM Couchman asked about funeral for Captain Daniel Bonilas.

FC York said that funeral details are very fluid even at this late point in time. Tomorrow evening is the viewing at Frye Chapel from 6-9pm and it will be limited attendance. With reference to the funeral service on Thursday morning, it is limited attendance. A normal response of a procession or any sort of formation will be greatly abbreviated or eliminated. Additional information will be provided thru the City Manager. Due to public health guidelines, participation is very limited. There will be a lineup on Western Avenue.

- ii. County of Imperial Update by County Supervisor Ryan Kelley

County Supervisor Kelley stated the Council made the right selection in naming Mike York as the new Fire Chief. He is honest and a very good person.

There was information released today that Pioneers Memorial Hospital was not accepting any more patients. The local hospital still has availability and capacity to take patients. There has been an influx of patients and there are resources being brought into Imperial County. There is an ambulance strike team being delivered. Additionally, there is staffing coming from the State of California. The Federal Government is also assisting with coverage in both facilities. There is an uptick in the number of patients seeking care at both facilities relative to the stable flow experienced during the last couple of weeks. Over the last three days, there was a rise and then a significant increase overnight and into this morning.

The Roadmap to Recovery was discussed today at the Board of Supervisors meeting. The Health Officer and Health Director made a presentation to the Board about the status of being able to submit to the Governor to reopen. The metrics changed yesterday for two key things - hospitalization and death.

CM Nava asked about the announcement that was made earlier today about the hospitals sending COVID-19 patients outside of the area. If local hospitals are not receiving those COVID-19 cases, will local numbers start to fall?

CS Kelley answered it depends.

CM Wharton asked about the County perspective on the impact of stay at home orders, the adherence to guidelines, what's different today after roughly 60 days of adhering to guidelines? A careful balance is needed for our fragile economy.

CS Kelley said there is a point when pain, frustration and fatigue have set in and social distancing is broken. Seven to ten days after a holiday such as Easter, there is a rise in cases. There is also something outside of local control which is Mexicali. There is a large population of resident aliens and US Citizens that live in Mexicali.

iii. Presentation by Dr. Richard Rundhaug, Brawley Elementary School District Superintendent.

Dr. Rundhaug stated that these are challenging times. BESD has stepped up to the challenge. Resources are available to students, specific to the skill levels that students need. Teachers have now moved to online based resources. The number of students who did not have access was smaller than expected. It is between 400-800 students who out of 4,000 who don't have internet access. These access needs are being prioritized.

Going into the fall, discussion is in progress regarding distance education. An important question is how many students may or may not return. A parent survey is in progress

5. DEPARTMENTAL REPORTS

- a. 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 continues to produce water as expected. The troughs are expected to arrive on May 21st. The contractor has started demolition of Basin No. 2 components and the work continues this week. The contractor will not remove the troughs until the new ones arrive.
 - 2) On May 4th, Pump No. 1 experienced a failure due to a piece of wood stuck in the impeller. On May 7th, Rain for Rent installed an emergency bypass pump. On May 13th, Pump No. 1 was removed and replaced by the contractor and the alarm system was tested in case of failure. On May 14th, Pump No. 2 was removed and replaced. The set points were adjusted to the new pumps' capabilities. The controller panel set points were also updated for the new pumps. Both pumps are now operating on auto settings. Rain for Rent was informed that the emergency

pump is no longer needed and on May 15th, Rain for Rent removed it. The lift station is now working as designed and the alarm system is properly set up.

- b. Update on Emergency Replacement of Three Failing A/C Units at Brawley Police Department, Presented by Interim Police Chief Scott Sheppard.
 - 1) Installation was finished last week. The Building Division inspected the work and a few minor items are outstanding.

6. INFORMATIONAL REPORTS

- a. Correspondence Dated May 14, 2020 from Local Imperial Valley Agencies to State Governor Gavin Newsom re: COVID-19 Resilience Roadmap Flexibility.
- b. Correspondence dated May 15, 2020 re: Community Update from Pioneers Memorial Hospital Healthcare District.

7. COUNCIL MEMBER REPORTS

Nava: Thanked staff. Congratulated newly appointed Fire Chief. Offered condolences to the family of Fire Captain Bonillas. He wants businesses to open and be successful. It is the Council's responsibility to be vocal and supportive of their message whether it's the availability of curbside pickup or delivery. The public needs to know that not everything is open but certain types of businesses are open. The Council and staff need to work collectively on a short video or message to get that message out. People are still confused. If the approach is to wait around and for bigger government to give tools, instructions and direction, the wait may be forever and that is a concern for the City of Brawley.

Couchman: Thanked all City staff. In travels out of the County, everybody is adapting in different ways. There are a lot of rumors going around on social media that should not be believed. The City is operating and some businesses are open and they seem to be functioning fairly well under the restrictions. In Brawley, many people are wearing masks and social distancing. The hospitals are functioning in the County, as well as in the San Diego area.

Wharton: Brawley may have done a good job as a community but looking ahead, the larger big box stores are able to operate in a safe manner by practicing the guidelines. There is no reason why local small businesses cannot. There is just as much data showing that states and regions that have opened and practiced these safety guidelines have been able to maintain numbers in some cases that are even better than the State of California. This is a diverse State when it comes to density and population. It is important that the public understands that the City is diligently working with staff and advocating for a balanced approach that keeps the community safe and businesses in mind.

This is national EMS week. Everyone appreciates local firefighters and this is a time to also remember ambulance operators and drivers, as well.

Hamby: Met and talked to residents who are fearful about the virus and concerned about what it is doing to the economy, too. There is uncertainty around both how widespread the virus is. It is disheartening to a lot of people. Mental health is suffering. A lot of people are now able to spend more time with their families than they were able to before. A

wall may soon be hit in the community where recovering economically will not be possible or will take a long time. Nationally, larger businesses, restaurants, retail stores are shutting down that probably would have survived another couple of years at least. It is a scary time. The Council needs to do everything in its power to advocate for the businesses in town, in the County and at the State level to allow opening back up with the proper safety measures in place.

He has attended different Zoom Meetings with the Brawley Chamber and County Health Department, and attended birthday parades. He appreciates the extra collaboration and communication with other Council Members and City Staff during this time. City Council, staff and Community Members are in his prayers for safety and comfort in these very difficult times.

Kastner Jauregui:

It has been a pretty stressful situation because I haven't been able to help or let the residents one way or the other and unfortunately the situation with our City and other cities too that don't have the revenues to assist a lot of these businesses to help them to stay afloat we are doing our best, we are staying on top of all the grant opportunities that are out there, there is some help out there but I am not sure that there is going to be enough help for all our businesses, our traditional things that Brawley has and I am starting to get worried about whether or not we are even going to be able to do our big traditional events like Brawley Cattle Call and Rodeo, just have to hope for the best and hope that we are able to rebuild our economy and rebound it's been a trying period, I do appreciate my fellow Council Members because you are out there answering a lot of these questions for our residents, I have a granddaughter that is graduating and unfortunately she is not going to do the traditional but we are like everybody else trying to make the best of things, birthdays, Mother's and Father's Day celebrations that are coming and trying to keep our social gathering between 5 and 10 persons. I took a trip to San Diego for medical reasons and they are operating the same as we are here signs explaining if you are here with this or that and if you are not the patient you can't go in. The County and Public Health Department and everybody else is working really well together, I get a little worried when I see the news and they say that we are not one of the counties that's qualified to move on to the next Phase and a lot of that has to do with what is happening with our proximity to the border and there is some things that of course we can't control but we just have to keep on asking to allow us to move forward a little into Stage 2 and some of these businesses to start operating again.

8. CITY MANAGER REPORT

- a. Letter of support has been requested by Assembly Member Garcia for \$28M in New River improvements as well as \$19.3 for the Salton Sea Management Planning Efforts. These two activities were included in the May revised budget.
- b. Update on 2020 Census – As part of outreach efforts, Comite Civico del Valle recently reported that Imperial County is now showing a 50% response rate. Completing the Census is very valuable to all the Imperial County.
- c. Information on various types of business assistance has been shared and is now posted on the Hub at EOC on Facebook. Information includes the County of Imperial's dedication of \$500,000 dollars for a business assistance in the form of a low-interest or forgivable loan at up to a max of \$10,000 dollars. This opportunity will be available Countywide. The City is also in active dialogue with both the IV Business Recovery Task Force, Brawley Chamber and the County.

- d. The City is in discussions with the County and State HCD. HCD has resources for COVID-19 specific needs. Modification of City facilities for re-opening are being explored. Cool center arrangements are also being researched. Timing is a key issue of concern. Businesses will have ongoing needs that very likely will make their way into the end of 2020.

9. CITY ATTORNEY None to report

10. CITY CLERK None to report

11. STRATEGIC PLANNING FOR FISCAL YEAR 2020/2021

Power Point Presentation – Rosanna Bayon Moore, City Manager

- Content is available upon request at the Office of the City Clerk

CM Bayon Moore stated that input is needed to navigate through new times and new COVID-19 variables in play. This fiscal year, as well as next, will call for City to adapt and shape the next 12 months of financial decision making and, hopefully, lay the ground work for a healthier future.

Strategies and Solutions

- Set and prioritize Goals
- Collect Feedback for Consensus
- Lay groundwork for 2020/21 overall budget approach
- COVID-19 impact on revenues in 19/20

Current Outlook COVID-19 Service Changes

- Signature events on hold
- Main and Del Rio Branch Library closures
 - Staffing reduction
 - LAMBS suspension
- Recreation Programming
 - City leagues on hold
 - Senior Center closure
 - Staffing reduction
- No Facilities Use
- Graffiti Abatement
 - staffing reduction

COVID-19 Health Department guidance is the backdrop for sorting essential versus non-essential activities. Not knowing for certain the duration of the changes, preserving scarce general fund dollars has been a primary goal. Big service changes have been implemented since the emergency declaration. It is up to the Council to determine what services will continue given resource constraints next fiscal year.

Next Steps

- Fiscal challenge in 20/21 requires great discipline
- Sorting of primary vs. secondary services
- Ongoing research regarding primary services delivery alternatives
- Any potential to address financial software limitations

CM Bayon Moore stated that her recommendation is to sort what constitutes primary City services versus secondary. The City's vision is to do it all and do it at just about free or a fee for a service point of view. Cost recovery has been something very difficult to roll out for a number of reasons. Staff requests the Council's support to continue looking for ways to provide alternatives in the area of primary service delivery and continue to evaluate options. COVID-19 altered the last three months. It was necessary to reprogram the agency to not just provide essential services but also modify and adapt to drastically different terms.

Need for Direction

- Reserve rebuild strategy to support solvency
- Options to close gaps in revenues and expenditures
 - layoffs vs. hiring freeze
 - focus on cost recovery
 - travel and training with absolute necessity reviews, MOU implications
- Status quo vs. P&R and Library activities on hold thru Dec. 2020
- COVID-19 recovery resources
- Upcoming decisions re: 2020 ballot

CM Hamby asked about the Utility User Tax. Would that have to take place in a March election or would it expire and then be voted on again in November 2022?

CM Bayon Moore said it is set to expire in May of 2022, so there will be a gap if it does not pass in this election of 2020.

CM Wharton stated that the most seamless scenario is for the potential passage this year.

CM Hamby would that gap straddle two fiscal years or would it end at the end of June and be reinstated at the beginning of January? What date does it expire?

CM Bayon Moore said the ballot measure defines expiration. The ability to retroactively collect Utility User Tax is not a realistic expectation. It currently expires in May of 2022.

Mayor Kastner Jauregui asked about the history on it. Was it first implemented as an Ordinance? What made it necessary to become part of an elected on the ballot?

CM Bayon Moore answer that it was an Urgency Ordinance in 1991.

CA Smerdon said it is now part of a law required with the Prop 218 process.

CM Bayon Moore mentioned that at this time a vote of the people to impose any tax is required. Staff recommendation is to receive some direction from the Council.

The City Council might consider a strategy to preserve and possibly increase the General Fund Reserve. The City could apply the framework of primary and secondary services. Primary services are fire, police and animal control. One strategy is to assume that service level reductions in the library and parks and recreation continue through December 2020.

Staff direction and decisions on the ballot measure front are needed. Measures raised by and with Council Members include not only the Utility User Tax, as well as an increase in Sales Tax and TOT. The decision deadlines are approaching.

It is also noted that there has been a placeholder through the years about the City Clerk role being appointed versus elected. This kind of changes requires a ballot measure. The Current Clerk term expires in 2022.

City Council direction is to reduce voter confusion and only prepare a Utility User Tax ballot measure, not a change to TOT or Sales Tax. Additional information was requested regarding the current City Clerk elected / Public Records Administrator staff roles versus the appointment approach.

12. CLOSED SESSION

REAL PROPERTY NEGOTIATIONS

- a. Conference with Real Property Negotiator – (California Government Code §54956.8)

Address: APNs 047-231-013 and 047-231-014, Brawley, CA

Negotiator: City Manager

Negotiating Parties: R. Garcia Construction, Inc.

Under Negotiation: Rate and Terms

POTENTIAL LITIGATION (California Government Code §54956.9)

- a. Conference with Legal Counsel – 2 Cases

PERSONNEL MATTERS (Government Code §54957)

- a. Public Employee Appointment to the Position of City Engineer / Public Works Director

13. ADJOURNMENT @ 6:02 pm

Alma Benavides, City Clerk