

CITY OF BRAWLEY
December 15, 2020

The City Council of the City of Brawley, California met in regular session at 6:00 PM, City Council Chambers, 383 Main Street, 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 Hamby called meeting to order @ 6:03 PM

PRESENT: Couchman, Hamby, Nava, Castro, 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 or contact the City Clerk's Office at 760/351.3080. The deadline to submit written comments is 2pm December 1, 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. Letter submitted by IID Consumer Affairs

Information regarding all Public Comments available on the City of Brawley's website

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

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.

- a. **Approved** Accounts Payable: December 2, 2020 and December 10, 2020
- b. **Approved** City Council Minutes: December 1, 2020 and December 8, 2020

- c. Approved Rejection of Claim as Recommended by Carl Warren & Company, Claims Management Adjusters for Claimant Maria Solis.
- d. Approval of the shared cost to participate in the Joint Watershed Sanitary Survey (JWSS).

4. PUBLIC HEARING

- a. Conduct Public Hearing for a Conditional Use Permit for Medical Services/Substance Abuse Treatment Counseling Center – 525 Main Street. The property is legally decribed as Lots 13 & 14, Block 71, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 047-342-014 presented by Gordon Gaste, Development Services Director.

OPEN PUBLIC HEARING @ 6:15pm

CLOSED PUBLIC HEARING @ 6:39pm

Information regarding all Public Hearing available on the City of Brawley’s website

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

5. REGULAR BUSINESS

- a. Update on City of Brawley Declaration of Local Emergency as a Result of COVID-19 Pandemic
 - i. Update by Larry Lewis, CEO for Pioneer’s Memorial Healthcare District
 - ii. Overall Outlook Presented by Fire Chief Mike York
- b. Discussion and Potential Action to Review and Accept the Audited Financial Statements for the City of Brawley for the Fiscal Year Ended June 30, 2020, Prepared by Moss, Levy & Hartzheim LLP presented by Tyler Salcido, Finance Director.

The City Council **approved** the Audited Financial Statements for the City of Brawley for the Fiscal Year Ended June 30, 2020, prepared by Moss, Levy & Hartzheim LLP presented by Tyler Salcido Finance Director. m/s/c Wharton/Nava 5-0

- c. Discussion and Potential Action to Authorize Contract Change Order No. 1 to Contract #2019-07 Allen Street Water Pipeline Replacement and Improvements Project for the additional Potholing Investigations, Cross Gutter Installation, and Storm Drain Changes in the amount of \$79,515.96 presented by Guillermo Sillas, Public Works Director.

The City Council **approved** to Authorize Contract Change Order No. 1 to Contract #2019-07 Allen Street Water Pipeline Replacement and Improvements Project for the additional Potholing Investigations, Cross Gutter Installation, and Storm Drain Changes in the amount of \$79,515.96 presented by Guillermo Sillas, Public Works Director. m/s/c Nava/Couchman 5-0

- d. Discussion and Potential Action to Authorize the Preparation of the Update to the City’s Urban Water Management Plan by Lee & Ro in the amount not to exceed \$36,625.00 presented by Guillermo Sillas, Public Works Director.

The City Council **approved** to Authorize the Preparation of the Update to the City's Urban Water Management Plant by Lee & Ro in the amount not to exceed \$36,625.00. presented by Guillermo Sillas, Public Works Director. m/s/c Nava/Couchman 5-0

- e. Discussion and Potential Action to Adopt City of Brawley COVID-19 Prevention Program (CPP) presented by Shirley Bonillas, Personnel & Risk Management Administrator.

The City Council **approved** Resolution No. 2020-75: Resolution of the City Council of the City of Brawley, California Adopting the City of Brawley COVID-19 Prevention Program (CPP). m/s/c Couchman/Wharton 5-0

- f. Discussion and Potential Action to Adopt Proposed Sidewalk and Alley Ordinance presented by Bill Smerdon, City Attorney.
- g. Discussion and Potential Action on Potential Regulation of Food Vendors Operating in City Parks by Bill Smerdon, City Attorney.

Discussion and information regarding all City Council Action items available on the City of Brawley's website:

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

6. INFORMATIONAL ITEM

- a. Notification of Allied Waste Solid Waste Rate Adjustment per Franchise Agreement with an Effective Date of January 1, 2021 Presented by Tyler Salcido, Finance Director.

Information regarding the update available on the City of Brawley's website:

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

7. DEPARTMENTAL REPORTS

- a. Update on Emergency Construction Project at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins Presented by Public Works Director Guillermo Sillas, PE.
- b. Update on Emergency Construction Project at the Brawley Water Treatment Plant to do the Distribution Pumps Electrical Separation of Old Electrical System from the New One Presented by Guillermo Sillas, Public Works Director.

Information regarding the update available on the City of Brawley's website:

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

8. CITY COUNCILMEMBER REPORTS

City Council Member Reports are available on the City of Brawley's website:

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

9. CITY MANAGER REPORT

City Manager Report is available on the City of Brawley's website.

http://brawley.thepublicspectrum.org/view_video.php?meeting=209&video=ySW8jIM10JA&yt=1

10. CITY ATTORNEY Nothing to report.

11. CITY CLERK Nothing to report.

12. CLOSED SESSION

PERSONNEL MATTERS (California Government Code §54957)

- a. Public Employee Appointment to the Position of Director of Community & Economic Development.
- b. Public Employee Appointment to the Position of Police Chief.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (California Government Code §54956.8)

- a. Property: Brawley Municipal Airport, 948 Ken Bemis Drive
Agency Negotiator: City Manager
Negotiating Parties: Michael Sass
Under Negotiation: Rate and Terms

13. RECONVENE TO OPEN SESSION

The City Council **unanimously** ratified the Employment Agreement between the City of Brawley and Jimmy M. Duran as Brawley Police Chief. m/s/c Wharton/Nava 5-0

The City Council **unanimously** ratified the Development Agreement and Lease Agreement between the City of Brawley and Brawley Hanger CO, LLC. m/s/c Couchman/Nava 4-0 (Wharton recused)

ADJOURNMENT @ 9:52 pm

Alma Benavides, City Clerk