

CITY OF BRAWLEY
May 3, 2016

The City Council of the City of Brawley, California met in a regular session at 6:00 PM, 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.

The meeting was called to order by **Mayor Pro-Temp Couchman @ 6:01 PM**

PRESENT: Couchman, Kastner-Jauregui, Nava, Noriega
ABSENT: Wharton

Invocation was offered by **Pastor Tim Charlton, Full Gospel Church**

Pledge of Allegiance was led by **Lee Quarcelino, Brawley American Legion**

1. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Noriega/ Kastner-Jauregu 4-0 Wharton absent

2. PUBLIC APPEARANCES/COMMENTS

- a. **Katie Luna, Executive Director Brawley Chamber of Commerce**, invited the City Council to upcoming events within the City of Brawley.
- b. **Eddie Camillo, Brawley Resident**, requested that the City provide names of Police Officers who entered his home without his permission.
- c. **Christian Nunez, President of BUHS Civics Class**, reported that Mr. Flores, Social Science Teacher, along with several classmates recently traveled to San Francisco where they participated in delivering an informative presentation to the Chief Justice of California.
- d. A Proclamation declaring May 2016 as Veterans Appreciation Month was accepted by **Lee Quarcelino, Local Veterans Representative**.
- e. **Michael Crankshaw, Police Chief** recognized Brawley Police Department Employees of the Quarter Officer Jeremy Schaffer and Dispatcher Maghen Caudill.

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/Kastner-Jauregui 4-0 Wharton absent

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

- a. Approve Accounts Payable: April 14, 2016
April 15, 2016
April 21, 2016
- b. Approve City Council Minutes: March 1, 2016
- c. Adopt Resolution No. 2016-14: Resolution of the City Council of the City of Brawley Approving the Application for Bicycle and/or Pedestrian Funds under the Transportation Development Act and Approving the Proposed Bicycle and/ or Pedestrian Plan.
- d. Adopt Resolution No. 2016-15: Resolution of the City Council of the City of Brawley Approving the Article 8e Application for Bus Benches/Shelters Purposes Under the Transportation Development Act (SB 325), PUC 99400.
- e. Adopt Resolution No. 2016-16: Resolution of the City Council of the City of Brawley Approving the Article 8e Application for City of Brawley Transit Transfer Station Purposes Under the Transportation Development Act (SB 325), PUC 99400.
- f. Approve City Council Resolution No. 2016-17: Resolution of the City Council of the City of Brawley, California Authorizing Specified City Officials to Sign Checks, Drafts or Other Orders for the Payment of Money on Behalf of the City.
- g. Approve Annual Planning Report and Progress of the General Plan Year for Year 2015.
- h. Approve Request for Travel Greater than 500 Miles for City of Brawley Fire Chief and Two Fire Captains to Appleton, Wisconsin May 17-20, 2016 for the Final Inspection of the New Fire Apparatus.

4. PUBLIC HEARING

- a. City of Brawley Commitment of Program Income Funds to Supplemental Activity Request(s)

Staff Report – Rosanna Bayon Moore, City Manager

City staff have identified several Community Development Block Grant (CDBG) eligible Improvements that are demonstrated community needs. The City may propose these projects to the State of California Department of Housing and Community Development for funding with Program Income. The funding may be authorized through Supplemental Activity Requests for which the City may apply while the 2013 CDBG Grant (13-CDBG-8954) is active. The proposed projects are: ADA Compliance Hinojosa Park, ADA Compliance Alyce Gereaux Park and Senior Citizen Center Roof Replacement.

OPENED PUBLIC HEARING @6:27PM

No comments received.

CLOSED PUBLIC HEARING @6:28PM

1. Adopt Resolution No. 2016- : Resolution of the City Council of the City of Brawley, California Approving the Commitment of CDBG Program Income Funds to CDBG Supplemental Activity Request(s) for the 2013 CDBG Grant (13-CDBG-8954).

The City Council **approved** the adoption of Resolution No. 2016-18: Resolution of the City Council of the City of Brawley, California Approving the Commitment of CDBG Program Income Funds to CDBG Supplemental Activity Request(s) for the 2013 CDBG Grant (13-CDBG-8954). m/s/c Nava/Kastner-Jauregui 4-0 Wharton absent

- b. Annual Review of City of Brawley Utility User Tax

Staff Report – Rudy Walla, Finance Director

The current adopted Fiscal Year 2015/2016 General Fund Budget includes \$1,878,807 in projected Utility User Tax (UUT) revenue which equates to 13% of the City’s general fund revenue and expenditure budget. The Fiscal Year 2016/2017 working draft of the General Fund revenue budget estimates the UUT at \$1,975,091.

The purpose of the Utility User Tax is to raise revenues for the general governmental purposes of the City. All of the proceeds from the UUT imposed shall be placed in the City’s General Fund. The tax levied is on the utility services of Telephone, Electricity, Gas, Water, Sewer, Trash and Cable Television. The current tax imposed on these utilities is 4%. This UUT was voter-approved on November 8, 2011 with an expiration date of May 31, 2018.

OPENED PUBLIC HEARING @6:30PM

No comments received.

CLOSED PUBLIC HEARING @6:31PM

The City Council **accepted** the Annual Review of the City of Brawley’s Utility User Tax.

5. REGULAR BUSINESS

- a. Discussion and Potential Action to Rescind City Council Resolution No. 2013-53 Formally Establishing Bond Settlement Priorities for La Paloma Subdivision, Units 1 and 2, Reinstate Community Facilities District Levy A and Direct Staff to Proceed with a City-Approved Revitalization Plan.

Staff Report - Gordon Gaste, Planning Director

Due to private sector interest in revival of the La Paloma Subdivision, the City is evaluating the reinstatement of Special Tax A, in addition to the re-prioritization of bond settlement proceeds. Units 1 and 2 of the La Paloma Subdivision comprise 292 residential units. Twenty five (25) units have been constructed to date.

CM Bayon Moore provide a summary of the La Paloma Specific Plan Area and the history of the Community Facilities District (CFD) Formation. City staff has worked within the sixty (60) day timeframe designated by the City Council per the presentation previously delivered by Pacific West Development representatives.

Andrew Dixon, President and CEO of Pacific West Development provided an overview of the current state of the La Paloma Subdivision and what is planned if the CFD is reinstated for the La Paloma Subdivision per the "Revitalization Plan."

The following individuals made public comments on the record:

- **Gustavo Sanchez, 658 Milano Court**, stated that he would like to work with the City Council in order to come to a consensus and understanding of when, where, what, and how these taxes will be implemented. He also requested information on the sizes of the new homes, and a more simplified explanation of the CFD taxes for citizens.
- **Steven Elliot, 722 Milano Court**, stated that he had no previous knowledge of the CDF fees and would like more time to educate himself on the item at hand before the City Council comes to a decision. He does not believe that the economy has gotten any better to pay an additional \$2,000 dollars per year for an additional tax. It is not easy for everyone to handle.
- **Linda Hahnenkratt, 734 Milano Court**, requested information on the ending date for Special Tax A.
- **Raymond Leon, 750 Milano Court**, stated that the whole City should be paying for Special Tax A, not just residents of La Paloma subdivision.
- **Martha Alvarez, 711 Hontza Court**, stated that she believes that improvements should begin internally rather than externally for the La Paloma Subdivision.
- **Joana Falcon, 742 Milano Court**, informed the City Council that when she purchased her home in the subdivision, she was told there were no CFDs.
- **Alfonso and Martha Alvarez, 711 Hontza Court**, stated that she has lived in that development since it was first established and feels as though there was not any change when the CFD fees were active. She is not in favor or reinstating Special Tax A.

It was requested that residents be provided additional time to review the information provided. The City Council **tabled** the discussion and potential action for the reinstatement of La Paloma Subdivision Special Tax A to the next City Council meeting scheduled for May 17th, 2016. m/s/c Nava/ Noriega 4-0 Wharton absent

- b. Discussion and Potential Action to Approve the Upgrade of the Brawley Fire Department Radio Equipment in the Amount of \$35,063 to Motorola Solutions and \$3,500 to Airwave Communications.

The City Council **approved** the request to upgrade the Brawley Fire Departments Radio Equipment. m/s/c Nava/ Kastner-Jauregui 4-0 Wharton absent

- c. Discussion and Potential Action Authorizing an Agreement with BorderLAN Security in the Amount of \$27,424.72 to Secure FortiNet's Firewall Solution.

The City Council **approved** the authorization of an agreement with BorderLAN Security in the Amount of \$27,424.72. m/s/c Nava/Noriega 4-0 Wharton absent

- d. Discussion and Staff Direction re: General Fund Budget Preparation

Power Point Presentation* - Rosanna Bayon-Moore, City Manager

CM Bayon Moore summarized five critical topics confronting the City of Brawley. These included:

- 1) Structural balance of General Fund operational revenues and expenses
- 2) General Fund Reserve utilization for operational expenses
- 3) Expiration of the Utility User Tax in 2018
- 4) Addition of permanent employees
- 5) Priority projects for General Fund capital in excess of the set aside figure

The City Council **provided** direction to move forward with budget assumptions.

*Content is available upon request from the Office of the City Clerk.

City Council discussed the critical topics identified. Staff was **directed** to maintain existing service levels and staffing levels, assume the replacement of three existing temporary designations with permanent staff positions, prioritize the Lions Center pool and breathing apparatuses. Staff was encouraged to continue seeking outside financial resources for City needs and explore greater cost sharing alternatives. The City Council stated that one time use of funds to balance General Fund revenues and operations is an option.

6. DEPARTMENTAL REPORTS

- a. Monthly Staffing Report for May, 2016 – Shirley Bonillas, Personnel & Risk Management Administrator

7. INFORMATIONAL REPORTS

- a. Summary of Grant Reimbursements Received for Fiscal Years 2011/2012, 2012/2013, 2013/2014, 2014/2015, 2015/2016.

8. CITY COUNCIL MEMBER REPORTS

Noriega: Attended the Library Book Sale, Car Show, Kiwanis Mixer, Cesar Chavez Celebration, and Inferno Dance Party. Thanked Ramon Castro, Ernesto Mariscal,

Mario Robles, Rusty and Lupe Garcia, plus community members for helping to feed everyone involved in the Meserve Park restroom project. Also commended on the potential closure of the Brawley courthouse.

Kastner-Jauregui: Attended the Library Book Sale, Tree Planting Ceremony on North Plaza, Cesar Chavez Festivities, NoCCA Show at Palmer and Chabelas festivities.

Nava: Attended ICTC Meeting and presented a plaque to Laurie Berman, Caltrans District 11 Director.

Couchman: Attended the Tree Planting Ceremony, Car Show, Cesar Chavez Celebration, Library Book Sale, and Kiwanis Mixer.

9. CITY MANAGER'S REPORT

- a. The Downtown Detail Crew has returned to Main Street.
- b. The County of Imperial recently inquired about the placement of a telecommunications tower planned for the former Bank of America Building.

10. CITY TREASURER'S REPORT

- a. Investment Activity Report as of March 31, 2016

11. CITY ATTORNEY'S REPORT

- a. Scheduled to attend the California League of Cities City Attorney's Conference in Newport Beach

12. CITY CLERK'S REPORT None to report

13. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

- a. Agency Designated Representative: Rosanna Bayon Moore, City Manager Employee
Organization: Brawley Public Safety Employees, Brawley Police Sergeants' Association, Brawley Firefighter's Local No. 1967, and Teamsters Local No. 542

PERSONNEL MATTERS

- a. Public Employee Appointment to the Position of Parks and Recreation Director
- b. Public Employee Appointment to the Position of Fire Chief

14. PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION

- a. The City Council acted to ratify the contract term extension of Patricia Dorsey, Parks and Recreation Director, to June 30, 2017. m/s/c Nava /Kastner-Jauregui 4-0 Wharton absent
- b. The City Council acted to ratify the contract term extension of Charles Peraza to the Position of Fire Chief is extended to June 30, 2019. m/s/c Nava /Kastner-Jauregui 4-0 Wharton absent

ADJOURNMENT @ 8:55 PM

Alma Benavides, City Clerk