

CITY OF BRAWLEY
September 20, 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 Wharton** @ 6:01 PM

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

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

Pledge of Allegiance was led by **CM Couchman**

1. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Noriega/Couchman 5-0

2. PUBLIC APPEARANCES/COMMENTS

- a. **Mike Crankshaw, Police Chief** introduced newly hired Communications Dispatchers Carmen Leon and Cynthia Martinez.
- b. **Charla Teeters, Imperial County Film Commission** updated City Council about productions within the County of Imperial and associated revenue. She also invited everyone to the 20th Annual Cleanup at the Sand Dunes on January 14, 2017.
- c. **Eric Reyes, Brawley resident** gave an update on the First Time Homebuyer's Program being moved to the Rental Assistance Program for displaced residents of the Brawley Mobile Home Park

CM Noriega asked how many families had moved out and how many are still looking.

Eric Reyes stated that the park manager should have those numbers. Most of the families that were left have found a place.

CM Moore indicated to Mr. Reyes that she has been in communication with the Woo Family, Louie Wong, and Ceci Griffith Vogel. It has been conveyed to the owners that a written plan, overall approach in improving the park with timetables are needed to rework the HOME Program which is for owner occupied Housing Rehabilitation and for the First Time Homebuyers program. Part of that process is to inform the State of the need to repurpose the funds. There have been talks with the County about establishing a sub-recipient agreement for the County to help the City with the administration of the program.

Louie Wong, representing the owners mentioned that they are holding weekly meetings with their contractor.

- d. **Julio Franco** and **Gracie Zua** students from Mr. Flores Civics Class stated they come to the City Council Meetings to learn how government runs and we have to report back to Mr. Flores.
- e. **Gina, Brawley** resident invited everyone to put a blue or green light on your porch to support your local Veterans.

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 Noriega/Kastner-Jauregui 5-0

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

- a. **Approved** Accounts Payable: August 31, 2016
September 2, 2016
September 8, 2016
- b. **Adopted** Resolution No. 2016-39: Resolution of the City Council of the City of Brawley, California Updating the Conflict of Interest Code for the City of Brawley.
- c. **Adopted** 2nd Reading of Ordinance No. 2016-04: Ordinance of the City Council of the City of Brawley, California Amending the Brawley Municipal Code to Change the Zoning Designation for Specified Properties.
- d. **Rejected** Claim as recommended by Carl Warren & Company Claims Management Adjusters for Claimant: Top Notch Seed, Inc.
- e. **Approved** Request for Travel Greater than 500 Miles for LAMBS Project Coordinator to Attend New Literacy Coordinators Meeting and California Library Association Conference from November 2 through 6, 2016 in Sacramento, CA.
- f. **Adopted** Resolution No. 2016-40: Resolution of the City Council of the City of Brawley, California Authorizing Designated Persons and/or Positions as Authorized Signatories on Behalf of the City of Brawley for Imperial Irrigation District.
- g. **Approved** City of Brawley Waiver Request for U.S. Department of Transportation (DOT) Termination of Essential Air Service (EAS) in El Centro, California.
- h. **Approved** City of Brawley Letters to Governor Edmund G. Brown, Jr. In Support of Assembly Bill 2170 (Frazier) – Trade Corridor Improvement Fund, In Support of Assembly Bill 723 (Chiu) – Housing: Finance and In Opposition to Senate Bill 897(Roth) Workers Compensation: ‘4850’ Time Extension.
- i. **Approved** Resolution No. 2016-41: Resolution of the City Council of the City of Brawley, California Acceptance of City Owned Vehicle and Equipment Surplus List and Method to Remove from Inventory.

4. REGULAR BUSINESS

- a. Discussion and Potential Action to Reschedule October 4, 2016 Regular City Council Meeting Due to 2016 California League of Cities Conference.

The City Council **approved** to Reschedule October 4, 2016 Regular City Council Meeting to October 3, 2016 Due to 2016 California League of Cities Conference. m/s/c Nava/Kastner-Jauregui 5-0

- b. Discussion and Potential Action to Purchase One Marked Police Interceptor Vehicle with Associated Equipment in Total Amount of \$39,602 Utilizing San Diego City Cooperative Bid with Kearney Pearson Ford and Adopt Resolution No. 2016- : Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year (FY) 2016/2017 City of Brawley Budget.

The City Council **approved** to Purchase One Marked Police Interceptor Vehicle with Associated Equipment in Total Amount of \$39,602 Utilizing San Diego City Cooperative Bid with Kearney Pearson Ford and Adopt Resolution No. 2016- : Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year (FY) 2016/2017 City of Brawley Budget. m/s/c Noriega/Nava 4-0 Couchman absent

- c. Discussion and Potential Action to Approve Purchase of One Marked 2017 Chevrolet Silverado and Associated Equipment for Brawley Police Department, Utilizing Operation Stonegarden Grant Funds in the Total Amount of \$48,355.59.

The City Council **approved** Purchase of One Marked 2017 Chevrolet Silverado and Associated Equipment for Brawley Police Department, Utilizing Operation Stonegarden Grant Funds in the Total Amount of \$48,355.59. m/s/c Noriega/Kastner-Jauregui 5-0

- d. Discussion and Potential Action to Approve Request by Brawley Chamber of Commerce to Sell and Consume Alcohol on City Properties on Designated Dates and Times as Part of the 2016 Cattle Call Festivities and the 2017 Farmer's Market Series.

The City Council **approved** the Request by Brawley Chamber of Commerce to Sell and Consume Alcohol on City Properties on Designated Dates and Times as Part of the 2016 Cattle Call Festivities and the 2017 Farmer's Market Series. m/s/c Noriega/Nava 5-0

- e. Discussion and Potential Action re: City of Brawley Business Advisory Committee.

At the August 2016 meeting of the Business Advisory Committee, the BAC's original purpose and effectiveness were discussed. BAC has not had the benefit of a focused purpose and duplicates efforts of the Brawley Chamber of Commerce. BAC was confronted with many divisive topics more suitable for the Planning Commission and City Council such as sidewalk sales and a proposed mobile home park.

CM Kastner-Jauregui said the committee would like their purpose reviewed by the Council as well as the Executive Director of the Brawley Chamber of Commerce.

The City Council **approved** the sunset date of September 30, 2016 and to bring back discussion about the committee at a later date.

- f. Discussion and Potential Action re: the Governor's Signature or Veto of Various Bills.

The City Council **approved** the Governor's Signature or Veto of Various Bills. m/s/c Kastner-Jauregui/Noriega 5-0

5. DEPARTMENTAL REPORTS

- a. Patricia Dorsey, Parks & Recreation Director, re: Summer Program Statistics
- b. Shirley Bonillas, Personnel & Risk Administrator re: Limited Term Policy Revisited

6. CITY COUNCIL MEMBER REPORTS

- Noriega:** Attended Teacher’s Dinner at the Stockmen’s Club, Hidalgo Society 16th of September Celebration and Parks/Recreation Commission Meeting. She encouraged the public to please look after yourself and pick up your trash when you use the park.
- Kastner-Jauregui:** Attended Teacher’s Dinner, 911 Ceremony, SBDC Accion New Business Meeting, Press conference at PMH where Senator Hueso and Assemblymember Garcia were in attendance. Thanked the Imperial Valley Housing Authority for accommodating a lot of the displaced families from the mobile home park.
- Nava:** Attended Teacher’s Dinner, 911 Ceremony, toured One World Beef with County Supervisor Ryan Kelley and Senator Ben Hueso and met new Executive Director for El Centro Regional Medical Center.
- Couchman:** Attended Teacher’s Dinner, 911 Ceremony and a Wild Game Feed. Elk’s delivered dictionaries to all 3rd graders in the Northend.
- Wharton:** Attended Teacher’s Dinner, 911 Ceremony, Meet and Greet Executive Director of El Centro Regional Medical Center Represented the Northend and would like to thank my fellow Council Members and every department for their continued work.

7. CITY MANAGER’S REPORT

- a. Update on Status of One World Beef Industrial Discharge Permit

The National Beef meat processing plant ceased production in July of 2014 and was ultimately acquired by One World Beef (OWB) in June of 2016. Prior to escrow being closed, One World Beef advised the City that an Industrial Discharge Permit was required prior to the closing as a condition of financing. In order to facilitate the transaction and advance economic development, the City agreed to allow the transfer to the National Beef Industrial Discharge Permit to OWB. The request was granted, although it was unusual in that required information required information furnished by an industrial discharger at the outset of a permit application process was postponed until after transfer but before commencement of discharge.

All of OWB’s proposed alternatives which include alternative treatment will require additional time to implement. Unfortunately, OWB has not been able to remain on a path forward which would allow it to start the beef plant as a predictable time. City staff have encouraged OWB to develop details for the treatment system early so that it could identify probable costs and other project issues as soon as possible and mitigate them. The City has responded in a timely and responsive manner to OWB requests. Staff and the City’s technical team are prepared to perform once OWB commits to a plan and submits the technical content for review and consideration.

- 8. CITY ATTORNEY’S REPORT** None to report

- 9. CITY CLERK’S REPORT** None to report

10. CLOSED SESSION

- a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 3 cases.

- b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Name of Case: Brawley Oak Glen Land, LLC, et al. v. City of Brawley

ADJOURNMENT @ 7:33pm

Alma Benavides, City Clerk