

**CITY OF BRAWLEY**  
**November 1, 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 @ 6:00 PM**

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

Invocation was offered by **CM Kastner-Jauregui**

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

**1. APPROVAL OF AGENDA**

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

**2. PUBLIC APPEARANCES/COMMENTS**

- a. **Katie Luna, Executive Director for Brawley Chamber of Commerce** invited City Council, Staff and Audience in attendance to the upcoming Cattle Call Events starting Saturday, November 5 with the Chili Cook-Off ending on Sunday, November 13, 2016 with the 1pm Rodeo.
- b. **Bill McNeece and Jesse Zermeno from Imperial Valley Velo Bicycle Club** since 1987 reported that because of the growing presence of cyclists on the road within Brawley and the County, they aim to inform the City Council and public about the safety concerns of cyclists on the road. In the Valley, motorists think that cycling is an offense and that they have ownership of the road. A bicyclist has a right to a lane just like drivers in a car. Signage, striping of bike lanes and share the road icons are needed to make motorists aware of cyclists.
- c. **Robin Spieler** requested that the City Council reopen the investigation of the murder of Bud Roberts that took place in 2007 in Brawley. The family believes it is Mr. Robert's widow that is responsible for his death has yet to be made accountable.
- d. **Tim Kelley, Executive Director of Imperial Valley Economic Development Corporation**, invited the City Council to their Annual Dinner on Thursday, November 17, 2016 at Imperial Palms Hotel & Resort. HE also reported on an event that took place in Brawley on September 28<sup>th</sup> which was well attended. Another event will take place on December 20<sup>th</sup> at the Calexico City Chambers.
- e. **Ryan Kelley, Co. Board of Supervisor District #4**, updated the City Council on the approval of the tenant based rental assistance program. He reported that he attended the meeting held by the U.S. Department of Energy in regards to the Salton Sea management program. Supervisor Kelly expressed his enthusiasm for Advanced Life Support (ALS) Services on the City Council agenda.
- f. **Ray Robles, Executive Director for North California Coalition of the Arts**, introduced himself and stated he was very excited to work with the City. He said that in May of 2017 a performance of Disney's Beauty and the Beast will take place at Palmer Auditorium. Auditions will be held in January of 2017.

g. **Christian Nunez, Representative for Assembly Member Eduardo Garcia**, announced funding recently secured for the New River. This subject is a long standing concern for the Valley as one of the most polluted rivers in the nation.

**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/Couchman 5-0

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

- a. **Approved** Accounts Payable: October 13, 2016  
October 20, 2016
- b. **Authorized** Change Order No. 1 to Contract 2016-11, 1<sup>st</sup> Street Pedestrian Improvements in the amount of \$11,451.70 to Masters Construction.

**4. PUBLIC HEARING**

- a. Use of Program Income Funds to Supplement CDBG Grant #13-CDBG-8954  
**Staff Report** – Francisco Soto, Building Official

**Open Public Hearing @ 6:29pm**

No public comments were noted on the record.

**Close Public Hearing @ 6:30pm**

- 1. Adopt Resolution No. 2016- : Resolution of the City Council of the City of Brawley, California Authorizing Use of Program Income to Supplement CDBG Grant (13-CDBG-8954) for the Purchase of Fire Apparatus.

The City Council **approved** adoption of Resolution No. 2016-46: Resolution of the City Council of the City of Brawley, California Authorizing Use of Program Income to Supplement CDBG Grant (13-CDBG-8954) for the Purchase of Fire Apparatus.

**5. REGULAR BUSINESS**

- a. Presentation by BOK Securities, Discussion and Staff Direction regarding Refinancing Opportunities for the CalPERS Side Fund. Ruby Walla, Finance Director introduced Carmen Vargas. Carmen Vargas of BOK Securities provided an overall presentation to the City Council with assistance from Don Hunt of Norton Rose Fulbright, Lalo Trujillo, Mission Trails Advisor.

The City Council indicated overall interest in pursuing the refinancing opportunity. Staff was directed to revisit the fee structure for the refinancing transaction to validate or renegotiate as appropriate.

\*\* Power Point slides are available and on file at the Office of the City Clerk,

- b. Discussion and Potential Action to Approve the Emergency Medical Services Memorandum of Understanding with Imperial County EMS Agency to Provide Advance Life Support in the City of Brawley.

**Staff Report** – Chuck Peraza, Fire Chief, presented the memorandum of understanding to the City Council. Fire Chief Peraza provided an overview of the agreement and the higher level of service that will be made available to local residents as a result of the change. The Board of Supervisors will review and take potential action following City Council action. Brawley Fire Department will then work toward obtaining licensure and begin delivering care.

The City Council **approved** the Emergency Medical Services Memorandum of Understanding with Imperial County EMS Agency to Provide Advance Life Support in the City of Brawley. m/s/c Noriega/Kastner-Jauregui 5-0

- c. Discussion and Potential Action to Approve a Professional Engineering Services Agreement with AE Consulting, Inc. in the Amount of \$156,343 to Design Airfield Lighting Rehabilitation Project at the Brawley Municipal Airport.

The City Council **approved** a Professional Engineering Services Agreement with AE Consulting, Inc. in the amount of \$156,343 to Design Airfield Lighting Rehabilitation Project at the Brawley Municipal Airport. m/s/c Nava/Couchman 5-0

- d. Discussion and Potential Action to Adopt 2<sup>nd</sup> Reading of Ordinance No. 2016- : Ordinance of the City Council of the City of Brawley, California Prohibiting Wasteful Use of Water, Establishing Restriction on Water Use and Meeting Conservation Standards the following has been incorporated to Section 1: **For the purpose to interpret the Section 19.24-3. Prohibiting Wasteful Use of Water and Restrictions on Water Use, item 1, c) The application of potable water to driveways and sidewalks, except to protect public health and safety. Protect Public health and safety definition in the context of this Ordinance shall be considered as the necessary washing whether with water coming out directly from a water service or by the use of a power driven device to appropriately remove animal feces, bird droppings, clean up spills that constitute a trip hazard, the removal of excessive grimy build up from the street that does not lend itself to clean up by sweeping.**

The City Council **adopted** the 2<sup>nd</sup> Reading of Ordinance No. 2016-05: Ordinance of the City Council of the City of Brawley, California Prohibiting Wasteful Use of Water, Establishing Restriction on Water Use and Meeting Conservation Standards in the updated version of the ordinance included in the City Council agenda package. m/s/c Nava/Kastner-Jauregui 5-0

- e. Discussion and Potential Action to Authorize Contract Change Order No. 1 to Contract 2015-01: Alyce Gereaux Park Renovation in the Amount of \$98,194.45 to Silverstrand Construction.

The City Council **authorized** the Contract Change Order No. 1 to Contract 20-15-01: Alyce Gereaux Park Renovation in the amount of \$98,194.45 to Silverstrand Construction.

- f. Discussion and Staff Direction regarding Imperial Regional Alliance’s Request to Support Small Business Development Center Initiative.

**Tim Kelley, Executive Director of Imperial Valley Economic Development Corporation**, described projects that IVEDC has participated in establishing in the Imperial Valley. He reported that while no other agencies have formally acted to commit financial resources, the City of Calexico has indicated interest. Mr. Kelley reported that if awarded we will be opening an office in Brawley and additional services by IVEDC.

The City Council **consensus** was to provide \$10,000 as matching funds to host the SBDC.

City staff reported that the expenditure would require use of the General Fund Reserve. As such, a budget adjustment resolution will be prepared for future City Council action.

**6. DEPARTMENTAL REPORTS**

- a. Monthly Staff Report for November, 2016 – Shirley Bonillas, Personnel & Risk Management Administrator
- b. 2016 Cattle Call Parade Chair Protocol for Main Street - Guillermo Sillas, Interim Public Works Director

**7. CITY TREASURER’S REPORT**

- a. Investment Activity Report as of September 30, 2016

**8. CITY COUNCIL MEMBER REPORTS**

**Noriega:** Participated in the KPBS special educational movie that is featuring Brawley Union High School students, attended the customer appreciation day at Desert RV, and attended the ribbon cutting ceremony at Las Chabelas Restaurant.

**Kastner-Jauregui:** Attended the ribbon cutting ceremony at Las Chabelas restaurant, attended the 7<sup>th</sup> Annual Environmental Summit held at Brawley Union High School on Saturday, also participated in the KPBS educational special, and did a presentation at SDSU-Brawley Campus regarding women in politics.

**Nava:** Attended the Imperial County Economic Development “Roundtable Meeting,” attended the Economic Summit, attended the Desert RV customer appreciation day, attended the League Dinner, participated in the tour of the new “battery energy storage facility,” the first of its kind in the country, with the Imperial Irrigation District.

**Couchman:** Attended the Pioneers Memorial Hospital Gala, the Las Chabelas restaurant patio ribbon cutting ceremony, attended the solar batter energy storage facility tour that the Imperial Irrigation District held, attended the Desert RV customer appreciation day, went out to the Brawley Union High School to visit the “Welding Class” to check out the new equipment that the class was able to obtain due to a \$500 donation from the IVROP.

**Wharton:** Thanked and commended Council Member Nava for being the Master of Ceremonies for the 7<sup>th</sup> Annual Environmental Health Summit, attended the Pioneers Memorial Hospital Gala, attended the Las Chabelas ribbon cutting ceremony, also attended the customer appreciation day at Desert RV, and joined Mr. Flores, Judge Montenegro and Ms. Bonnie Mungia attending various Brawley area schools and interacting with students in grades kinder through sixth.

**9. CITY MANAGER’S REPORT**

- a. Reminded all that next Thursday, Friday, and Saturday Main Street will be closed for maintenance and the upcoming Cattle Call celebration events.
- b. “First Fridays” will be returning to the City of Brawley.
- c. Brawley Theater roof-replacement plans have been submitted and City of Brawley Staff are working toward release of the permit.

**10. CITY ATTORNEY'S REPORT**      None to report

**11. CITY CLERK'S REPORT**      None to report

**12. CLOSED SESSION**

**ANTICIPATED LITIGATION**

- a. Conference with Legal Counsel – Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9. There are two (2) potential cases.

**PERSONNEL MATTERS (G.C. §54957)**

- a. Public Employee Appointment to the Position of Police Chief
- b. Public Employee Appointment to the Position of Public Works Director

**ADJOURNMENT @ 8:01PM**

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**Alma Benavides, City Clerk**