

**CITY OF BRAWLEY  
COUNCIL AGENDA  
FOR THE BRAWLEY CITY COUNCIL  
SUCCESSOR AGENCY  
Regular Meeting  
Tuesday, March 20, 2012 @ 6:00 PM**

**Brawley City Council Chambers  
383 Main Street  
Brawley, California 92227**

***George A. Nava***, Mayor  
***Sam Couchman***, Mayor Pro-Tempore  
***Miguel C. Miranda***, Council Member  
***Ryan E. Kelley***, Council Member  
***Don C. Campbell***, Council Member

***Alma Benavides***, City Clerk  
***Jim Hamilton***, City Treasurer  
***Dennis H. Morita***, City Attorney  
***Rosanna Bayon Moore*** City Manager/  
Executive Director

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**      ***Pastor James Tucker, Valley Baptist Church***

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**1. 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. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. Please direct your questions and comments to the City Council.*

**2. DEPARTMENTAL REPORTS**

a. Report on Code Enforcement Efforts– Francisco Soto, Building Official

**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. Approve City Council Minutes for: February 7, 2012  
February 21, 2012
- b. Approve Accounts Payable for: February 23, 2012  
March 1, 2012  
March 8, 2012
- c. Approve Amendment No. 6 for Transit Agreement (Dial-A-Ride) with Isabel Pacheco dba Sunrise Driving Services and the City of Brawley for a time extension of 6 months and restore Saturday service.
- d. Award bid to AP Construction, for Project No. 2012-08, re-advertisement for the purchase and installation of Variable Frequency Drives in an amount of \$148,323.
- e. Authorize Improvement Memorandum of Agreement with Brawley Oak Glen Land, LLC, and Brawley Latigo Land, LLC (Subdivider).
- f. Authorize Contract Change Order No. 13 to Contract No. 2009-06, Wastewater Treatment Plant Improvement Project to C.W. Roen Construction Company in an amount not to exceed \$43,940.
- g. Authorize Contract Change Order No. 2 to Contract No. 2010-02, Fire Station No. 2 to Duggins Construction and authorize the City Manager to execute all documentation in relation to this project.

**5. PUBLIC HEARING**

- a. Conduct Public Hearing: CDBG Grant Application for Fiscal Year 2012
  - 1. Adopt Resolution No. 2012- : Resolution of the City Council of the City of Brawley, California approving a 2012 CDBG Grant Application for funding and the execution of a Grant Agreement and any amendments thereto with the California Department of Housing and Community Development of the State CDBG Program.

**6. REGULAR BUSINESS**

- a. Approve recommendation of Traffic Safety Committee to revise Section 17.92(i) of the Motor Vehicles and Traffic Ordinance of the City of Brawley and Adopt 1<sup>st</sup> Reading of Ordinance No. 2012-02: Ordinance of the City of Brawley, California amending Chapter 17 of the Brawley Municipal Code relating to Truck Parking.
- b. Adoption of a Resolution confirming the Mayor’s appointments to the Oversight Board for the Brawley Community Redevelopment Agency Successor Agency.
- c. Review and discuss scheduled Water and Wastewater Capacity Fee Increases.

**7. COUNCIL MEMBER REPORTS**

**8. CITY MANAGER REPORT**

**9. CLOSED SESSION**

- a. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)):
  - 1. City of Brawley vs. La Paloma

**ADJOURNMENT** Adjourn to ***Tuesday, April 3, 2012 @ 6:00 PM***, City Council Chambers, 383 Main Street, Brawley, California. Supporting Documents are available for public review in the Office of the City Clerk, 383 Main Street, Brawley, California 92227 - Monday through Friday during Regular Business Hours; Individuals who require special accommodations are requested to give 48 hours prior notice. Contact: Alma Benavides, City Clerk @ 760-351-3080.

*Alma Benavides*, City Clerk

CITY OF BRAWLEY

COMMUNITY DEVELOPMENT SERVICES

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REPORT ON CODE ENFORCEMENT

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Date: March 7, 2012

Open Cases

- 1) K. Hovonian (Malan Park) – Weeds and trash were reported present at the end of developed streets at this subdivision. The weeds and trash were present at both Malan Park and Victoria subdivision south of Julia Drive. The weeds and trash have been removed by the property owners. No action has been taken to barricade the streets to prevent access to people who dump trash on the vacant property. Staff will request that barricades at the undeveloped roadways be installed by City Personnel if the owner does not install them within two weeks.
- 2) 283 Main Street- A roof drain was leaking across the public sidewalk on the North side of this property. The leak has been repaired and the sidewalk is no longer a hazard. Clean up of piled earth is needed to fully resolve this issue.
- 3) 1114 & 1136 Main Street – There is debris and junk within the property. Staff contacted the owner and tenant and thought clean up would be done according to verbal conversations with both parties. No action has been taken. This property is being referred to the legal department as a zoning violation.
- 4) 310 North 8th Street - This property is a car wash that had wash water draining onto the street, junk within the property, and parking on the unused street right of way. No action appears to have been taken except that car washing and drain water on the City right of way has ceased. The original notice is outdated. Staff will follow up on the junk and parking on street right of way.
- 5) The old Del Norte Chevrolet property - The new caretaker has been responsive to maintenance and requests for sealing entry to the building. The building is being monitored regularly by staff. The City has not recovered the cost to board up a broken glass door that was done at City expense before the present caretaker took charge of the property.
- 6) 527 D Street, vacant lot full of debris and vehicles - The main clean up work appears to have been done. The vehicles that had been stored on the premises have been removed. A small amount of trash exists. A dumpster is present on the property. This lot is a recurring violation and we have recommended fencing of the property. The property is being monitored for full compliance. The property may be a candidate for receivership in the future.
- 7) 344 West Magnolia Street, accumulation of debris in rear yard. The owner is presently working on cleaning up the back yard. The City is monitoring progress.
- 8) 196 Legion Road, Brawley Pharmacy - Signage violations. Some progress has been made but several signage issues have remained unresolved. If progress is not made, this case will be forwarded to the legal department as a zoning violation.
- 9) 196 Legion Road, vacant lot (Berke Enterprise) - Lot clean up required at intersection of SR86 and Legion Road. No apparent action has been taken to remove tumbleweeds and trim Palm trees. Property will be assessed for possible cleanup at City expense.

**Receivership Cases**

- 1) 620 & 624 E Street Palm investment group
- 2) Brawley Tangerine Gardens property (Legion Road)
- 3) 1682 A Street & 1592 A Street Vacant property on A Street
- 4) 622 North 11 Street (Mr. John Garcia, owner, is deceased) Sister was handling the property but did not comply with required work
- 5) 1465 Trail Street unable to locate responsible party, vacant home is a nuisance.
- 6) 1044 & 1044 1/2 J Street this property has been cleaned up and the family is trying to gain ownership. This action occurred only after property had been referred to receivership for resolution. The present state of the lot is not in violation of City Ordinance.
- 7) 279 J Street, this is the King property. The City has a judgement and a demand for payment has been made. The legal department is in charge of this matter.

**Recently Resolved Cases**

- 1) 590 West Main Street – Regan Center. This abandoned property has come under new ownership and is in the process of being cleaned up. It is anticipated that plans for occupancy as a motel will be submitted in the near future.
- 2) 246 G Street – A burned mobile home has been demolished and removed from this residential property.
- 3) 157 N Plaza – An existing business repainted the building exterior to comply with CRA requirements.
- 4) 151 G Street – An apartment complex that was a recurring site for vandalism, vagrancy and police calls obtained a permit to remodel earlier this year. The project has received electrical power this week. It is now completely renovated and an asset to the neighborhood.

**CITY OF BRAWLEY**  
**February 7, 2012**

The City Council and Community Redevelopment Agency of the City of Brawley, California met in a regular meeting at 6:00 PM, 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.

The meeting was called to order by **CM Nava** @ 6:05 PM

The invocation was offered by **CM Campbell**

The pledge of allegiance to our flag was led by **CM Kelley**

**PRESENT:** Campbell, Couchman, Kelley, Nava  
**ABSENT:** Miranda

**APPROVAL OF AGENDA**

The council motioned to **approve** agenda as amended. m/s/c Campbell/Couchman  
4-0 Miranda absent

**Item # 4 (a)** Adopt Resolution No. 2012- : Resolution of the City Council of the City of Brawley, California appointing one (1) member to fill a vacated term on the Brawley Planning Commission that term ends June 30, 2015 **was pulled from agenda.**

**AYES:** Campbell, Couchman, Kelley, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Miranda

**1. PUBLIC APPEARANCES/COMMENTS**

**Mr. Dilda McFadden** briefed the Council on the Imperial Valley FOG Pilot Project. The project will be built in one of the county's two (2) Enterprise Zones; it will use restaurant and home cooking oil and grease and turn it into bio-diesel fuel. The project would include curbside options.

**2. DEPARTMENTAL REPORTS**

**a. Monthly Staffing Report - Shirley Bonillas, Personnel & Risk Management Administration.**

**P&RMA Bonillas** briefed the council on the monthly staff report. Council gave direction to fill positions.

**3. CONSENT AGENDA**

The consent agenda was **approved** as followed: m/s/c Campbell/Couchman 4-0  
Miranda absent

**AYES:** Campbell, Couchman, Kelley, Nava  
**NAYES:** None  
**ABSENT:** Miranda  
**ABSTAIN:** None

- a. **Approval** of City Council Minutes for: November 15, 2011  
November 22, 2011  
December 6, 2011 (adjourned)  
December 6, 2011
- b. **Approval** of Accounts Payable for: January 5, 2012  
January 19, 2012  
January 27, 2012
- c. **Approve** amendments to the Brawley Municipal Airport Hangar Lease Agreement to include utilization of a City owned padlock.
- d. **Adopt** Resolution No. 2012-04: Resolution of the City Council of the City of Brawley, California Authorizing the Submission of the City of Brawley's Projects for the Regional Surface Transportation Program (RSTP) 2011 Call for Projects for Fiscal Years 2012/2013, 2013/2014, 2014/2015 and 2015/2016.
- e. **Adopt** Resolution No. 2012-05: Resolution of the City Council of the City of Brawley, California to apply for a Climate Action Plan and Targeted General Plan Amendments.
- f. **Adopt** Resolution No. 2012-06: Resolution of the City Council of the City of Brawley, California, the Successor Agency to the Brawley Community Redevelopment Agency authorizing investment of monies in the Local Agency Investment Fund.

**4. REGULAR BUSINESS**

**a. Review and discuss General Fund Reserve Preservation Policy.**

No action was taken.

**b. Authorize contract Change Order No. 1 to Contract No. 2009-06, Brawley Fire Station No. 2 to Duggins Construction Inc. in amount of \$116,946.64.**

**Staff Report - Yazmin Arellano, Public Works Director**

The council **motioned** to authorize contract Change Order No. 1 to Contract No. 2009-06, Brawley Fire Station No. 2 to Duggins Construction Inc. in the amount of \$116,946.64. m/s/c Nava/Campbell 4-0 Miranda absent

**c. Approve MOU between the City of Brawley and the Imperial County Transportation Commission for the construction of the Brawley Transit Transfer Terminal.**

The council *motioned* to approve MOU between the City of Brawley and the Imperial County Transportation Commission for the construction of the Brawley Transit Transfer Terminal. m/s/c Nava/Campbell 4-0 Miranda absent

**5. INFORMATION ITEMS**

- a. Letter from Time Warner Cable Brawley Office regarding new location at 135 South Plaza Street effective Monday, February 13, 2012.
- b. Letter from Department of Transportation regarding speed limit decrease on existing SR-86 from Rio Vista Avenue to west of Marjorie Avenue.

**6. MAYOR AND COUNCIL MEMBERS REPORTS**

- Couchman:** Attended the Chandi Group and Sun Community Federal Credit Union groundbreakings and the Niland Tomato Festival.
- Campbell:** Attended the groundbreaking for both Chandi Group and Sun Community Federal Credit Union. Thanked all city staff for their hard work and stay safe.
- Kelley:** Attended both ground breakings, United Way Charity Auction and Air Show Gala at the Naval Air Facility.
- Nava:** Attended the groundbreakings. Noted changes at old Regan Center. Thanked the Desert Review, IV Weekly and IV Press for covering City events.

**7. CITY MANGER/CITY ATTORNEY/CITY CLERK REPORTS**

**Bayon Moore:** Attended the kick-off for SDSU Imperial Valley Campus Dean's Advisory Board. Budget process has begun at staff level. Work plans and associated budgets being developed by departments. Looking at single workshop for council sometime in April with potential adoption in May. Attended League of Cities City Manager Department Meeting. Commented on 101 Ranch project-a significant project, approximately 1900 acres that is not in Brawley city limits but between Brawley and Imperial. Attended the IVFTZ meeting where the topic was the impact of the RDA dissolution and the ability of participating jurisdictions to continue to fund the core activities.

**Morita:** Nothing to report.

**Benavides:** Nothing to report.

**8. ADJOURNED TO CLOSED SESSION**

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY.**

None to report

**ADJOURNMENT** @ 7:13 PM

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**Alma Benavides**, City Clerk



**CITY OF BRAWLEY**  
**February 21, 2012**

The City Council and Successor Agency of the City of Brawley, California met in a regular meeting at 6:00 PM, 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.

The meeting was called to order by **CM Nava** @ 6:02 PM

The invocation was offered by **Pastor Tom Charlton, Full Gospel Church**

The pledge of allegiance to our flag was led by **CM Nava**

**PRESENT:** Couchman, Miranda, Nava  
**ABSENT:** Campbell, Kelley

**CM Kelley** arrived @ 6:15 PM

**CM Campbell** arrived @ 7:02 PM

**APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Miranda/Couchman 3-0 Campbell and Kelley absent

**AYES:** Couchman, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Campbell, Kelley

**1. ADJOURNED TO CLOSED SESSION @ 6:05 PM**

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY.**

None to report.

**RECONVENE @ 6:45 PM**

**2. PUBLIC APPEARANCES/COMMENTS**

**Brawley Union High School Board of Trustee Carol Sassie**, introduced the newly appointed Superintendent of BUHS Dr. Hasmik Danielian. She stated that she is very happy to take on this new role and would like to partner with the City.

**3. DEPARTMENTAL REPORTS**

**a. Karin Morgan, Parks & Recreation Director**

**P&R D Morgan** reported on the IV Classic. The event involved over 55 5K runners, 300 cyclists and about 600 spectators; the Brawley Police Department and Border Patrol helped with the bike rodeo and gave out helmets to over 40 youth.

**b. Marjo Mello, Library Director**

**LD Mello** mentioned that all the libraries from the valley invited the author, Gary Hansen, who wrote the thriller *Wet Desert*. Mr. Hansen will be at the Brawley Public Library on Friday, April 27, 2012 at 5:30 PM to address the Valley readers.

**c. Shirley Bonillas, Personnel & Risk Management Administrator**

**P&R M A Bonillas** stated that a small improvement project to address ergonomic adjustments in the Finance Department is underway.

**4. CONSENT AGENDA**

The consent agenda was **approved** as amended: m/s/c Miranda/Couchman 4-0  
Campbell absent

**AYES:** Couchman, Kelley, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Campbell

- a. **Approval** of City Council Minutes for: December 20, 2011  
December 20, 2011 (special)  
as amended  
January 3, 2012  
January 10, 2012 (workshop)  
January 17, 2012  
January 27, 2012 (special)
- b. **Approval** of Accounts Payable for: February 3, 2012  
February 9, 2012
- c. **Approval** of General Fund Reserve Preservation Policy.
- d. **Approval** of Resolution No. 2012-07: Resolution of the City Council of the City of Brawley, California in its capacity as the Successor Agency to the Brawley Community Redevelopment Agency approving the initial Enforceable Obligation Payment Schedule, the draft recognized Obligation Payment Schedule and approving certain related actions.

**5. REGULAR BUSINESS**

**a. Approve request from Hidalgo Society to paint a mural at Hinojosa Park.**

**Presentation made by Karin Morgan, Parks & Recreation Director**

**CM Bayon Moore** stated that staff would pursue Memorandum of Understand agreement with Hidalgo Society to address future maintenance.

**b. 1<sup>st</sup> Reading of Ordinance No. 2012-01: Ordinance of the City Council of the City of Brawley, California establishing a No Parking Zone at S. El Cerrito Drive and Cattle Call Drive within Cattle Call Park.**

**Presentation made by Yazmin Arellano, Public Works Director**

It is the Traffic Safety Committee's recommendation that a portion of South El Cerrito Drive and some areas around Cattle Call Park be declared a "no parking zone".

The council **motioned** to adopt 1<sup>st</sup> Reading of Ordinance No. 2012-01: Ordinance of the City Council of the City of Brawley, California establishing a No Parking Zone at S. El Cerrito Drive and Cattle Call Drive within Cattle Call Park m/s/c Miranda/Couchman 5-0

**AYES:** Campbell, Couchman, Kelley, Miranda, Nava

**NAYES:** None

**ABSTAIN:** None

**ABSENT:** None

**c. Review and discussion of Mid-Year City of Brawley Budget.**

**Presentation made by Ruby Walla, Finance Director**

**6. INFORMATIONAL ITEMS**

SCAG Letter of Support for City of Brawley's Climate Action Plan, Agriculture Element and Targeted General Plan Update.

**7. MAYOR AND COUNCIL MEMBERS REPORTS**

**Miranda:** Attended the Hidalgo Society's 90<sup>th</sup> Anniversary Gala had a great turnout. The Brawley Union High School Wrestling Team won consecutive 12 CIF titles.

**Kelley:** Attended the 90<sup>th</sup> Anniversary Hidalgo Society Gala; participated in the Norm Lassie Charity Golf Tournament. Noted interest in RDA oversight body appointments.

**Campbell:** Elected the President of Pop Warner for the next year. Attended the Hidalgo Society's 90<sup>th</sup> Anniversary Gala. Attended the IV Velo Club Bike Race. Recommended a Pep Rally for the Wrestling Team. Thanked staff for continued hard work.

**Couchman:** Attended the NRA Banquet at the Old Eucalyptus School House; attended the IV Bicycle Classic and congratulate city staff on doing all that work. Attended the Hidalgo Society 90<sup>th</sup> Anniversary Gala.

**Nava:** Attended the Hidalgo Society's 90<sup>th</sup> Anniversary Gala. Attended a luncheon event at the High School with the young volunteers who partnered with City for food drive. They were honored USA Today. I thanked Brawley Police Department staff for professional response to recent incident and requested that Chief Gillmore relate that message to staff.

**8. CITY MANAGER/CITY ATTORNEY/CITY CLERK REPORTS**

**Bayon Moore:** The National League of Cities has is offer us to prepare a video segments at no cost that features our quality of life and work with local businesses. The cities of La Quinta, El Cajon and Desert Hot Springs have participated. Letters for various entities have been drafted for the RDA successor agency oversight body. The second meeting in March will involve the Capacity Fee Increase subjects. San Diego State University Imperial Valley Campus with Imperial County Transportation Commission will be pursuing a Planning Grant thru Caltrans a zero emission transportation alternative from SDSU Calexico to IVC to SDSU Brawley and they are asking Brawley for a letter of support.

**Morita:** Nothing to report.

**Benavides:** Nothing to report.

**ADJOURNMENT** @ 7:46 PM

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**Alma Benavides, City Clerk**

Check Register Report

Date: 02/23/2012

Time: 4:23 PM

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City of Brawley

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17577	02/23/2012	Printed	A480	A & R CONSTRUCTION	Concrete Slab WTP	9,823.50
17578	02/23/2012	Printed	A242	A T & T	Telephone Services	36.47
17579	02/23/2012	Printed	P120	AIRGAS-WEST, INC.	Acetylene Cylinder Rental	177.37
17580	02/23/2012	Printed	A554	ALLIED WASTE SERVICES #467	Solid Waste Services Jan. 2012	85,089.02
17581	02/23/2012	Printed	A126	ALSCO AMERICAN LINEN DIV.	Uniform Cleaning Service	215.89
17582	02/23/2012	Printed	A544	GARY ANSIEL	Pinstrip & Decal Removal Tool	145.41
17583	02/23/2012	Printed	A232	ARC INDUSTRIES	Park Litter Control January	2,756.00
17584	02/23/2012	Printed	A144	THOMAS ARMSTRONG	Reimb.Tuition/Training Instruc	180.00
17585	02/23/2012	Printed	A461	AT&T-CALNET 2	Telephone Services 01/03-02/02	142.17
17586	02/23/2012	Printed	A784	AT&T	Teen Center Phone Service	86.26
17587	02/23/2012	Printed	A277	AVAYA INC.	Equipment Maint. Public Works	339.02
17588	02/23/2012	Printed	A305	AYERS DISTRIBUTING	Plastic Easter Eggs, Candy	272.00
17589	02/23/2012	Printed	B937	FRANCISCO BELTRAN	Refund Deposit 1038 Jennifer	165.56
17590	02/23/2012	Printed	B231	JONATHAN BLACKSTONE	Travel Adv Post Training AdmIn	375.30
17591	02/23/2012	Printed	B146	BROADCAST MUSIC, INC.	Music License Agreement	309.00
17592	02/23/2012	Printed	B411	BSN SPORTS	Scoreboard, Inflating Needles	554.51
17593	02/23/2012	Printed	C578	CA FIRE MECHANICS ACADEMY, INC	Fire Mechanic II/E. Garcia	490.00
17594	02/23/2012	Printed	C610	CAL-GRADE, INC.	Cold Mix Asphalt	11,526.99
17595	02/23/2012	Printed	C803	CAL-TEST	Drug Prevention Fee Feb. 2012	39.95
17596	02/23/2012	Printed	C228	JOHNNY CARRILLO	Refund Dep/Ovpmt 140 W J St	162.22
17597	02/23/2012	Printed	C225	CRWA	Distribution Cert. Review	750.00
17598	02/23/2012	Printed	C043	RICHARD CUETO	Reimburse Shipping Charges	10.00
17599	02/23/2012	Printed	D602	DESERT AUTO PLAZA	Light Bulb P.D. #919	27.25
17600	02/23/2012	Printed	D026	DUGGINS CONSTRUCTION, INC.	Fire Station No. 2	126,920.41
17601	02/23/2012	Printed	E216	EL CENTRO MOTORS	Repair Truck #3964 F.D.	829.98
17602	02/23/2012	Printed	E145	ELMS EQUIPMENT	X-Line	541.93
17603	02/23/2012	Printed	F105	FEDERAL EXPRESS CORP.	Mailngs/Police Dept.	508.75
17604	02/23/2012	Printed	G317	JOE P. GARCIA	Gym Supervisor Jan 18	32.00
17605	02/23/2012	Printed	G158	YVETTE GOMEZ	BB Scorekeeper Feb 14, 18	72.00
17606	02/23/2012	Printed	H119	HAAKER EQUIPMENT CO., INC.	Relief Valve #104 Sewer	261.07
17607	02/23/2012	Printed	H629	JERRY RICHARD HALL	Alternator Pulley #77 Streets	96.92
17608	02/23/2012	Printed	H208	NATHAN HAMBY	BB Scorekeeper Feb 13,15,16,18	120.00
17609	02/23/2012	Printed	H646	HAZARD CONSTRUCTION CO. INC	9th Street Project	170,383.50
17610	02/23/2012	Printed	I569	IMP. VALLEY PROPERTIES, LLC	Refund Deposit 1558 Manzanita	140.08
17611	02/23/2012	Printed	I422	IMPERIAL COUNTY REGISTRAR	General Election 11/11/11	9,347.81
17612	02/23/2012	Printed	I419	IMPERIAL COUNTY TREASURER	Defaulted Taxes 1125 K Street	8,185.55
17613	02/23/2012	Void			Void Check	0.00
17614	02/23/2012	Void			Void Check	0.00
17615	02/23/2012	Void			Void Check	0.00
17616	02/23/2012	Printed	I301	IMPERIAL HARDWARE CO., INC.	Bungey Cords - Shop	1,666.27
17617	02/23/2012	Printed	I105	IMPERIAL IRRIGATION DIST.	Install Pole Riser 154 S Plaza	1,000.00
17618	02/23/2012	Printed	I443	IMPERIAL PRINTERS	Name Plate - Miranda	17.24
17619	02/23/2012	Printed	I608	IMPERIAL TRUSS & LUMBER CO	Washers, Nuts	33.60
17620	02/23/2012	Printed	I033	IMPERIAL VALLEY ROUND UP	Refund Lions Center Deposit	50.00
17621	02/23/2012	Printed	J380	JADE SECURITY SYSTEMS, INC.	Alarm Monitoring/Teen Center	71.85
17622	02/23/2012	Printed	J159	LLOYD JOHNSON	BasketBall Scorekeeper Feb 18	16.00
17623	02/23/2012	Printed	K543	KNORR SYSTEMS, INC.	Repair Pool Heater	686.52
17624	02/23/2012	Printed	L546	BRAD LE MERT	Refund Deposit 638 Sunset Dr	152.32
17625	02/23/2012	Printed	L599	LEE & RO. INC.	WWTP Improvements Project	40,131.20
17626	02/23/2012	Printed	L425	THE LIGHTHOUSE, INC.	Electrical Wlre - Shop	60.32
17627	02/23/2012	Printed	L182	LORI'S SANITATION SERVICES	Portable Restrooms Prison Crew	493.30
17628	02/23/2012	Printed	M004	MCNEECE BROS OIL COMPANY	Fuel - Parks	1,340.81
17629	02/23/2012	Printed	M304	RAUL AARON MELENDREZ	Refund Deposit 409 SEAS	68.37
17630	02/23/2012	Printed	M881	MOTOROLA, INC.	Consolette Control Station	6,051.55
17631	02/23/2012	Printed	M260	MUSCO SPORTS LIGHTING, LLC	Lighting Fixtures	107,750.00

Check Register Report

Date: 02/23/2012  
 Time: 4:23 PM  
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City of Brawley

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17632	02/23/2012	Printed	N474	NASLAND ENGINEERING	Services for Panno Rd & Hwy 86	637.99
17633	02/23/2012	Printed	N618	NATIONAL PEN CORP	Pens	133.96
17634	02/23/2012	Printed	N045	NORTHEND AUTOPARTS, INC.	Air Brake Fitting #18 Streets	371.53
17635	02/23/2012	Printed	0567	JIM O'MALLEY PLUMBING	Glue	72.60
17636	02/23/2012	Printed	O719	ERICK OCEGUERA	BB Referee Feb 13,14,15,16,18	180.00
17637	02/23/2012	Printed	O824	OFSI	P.W. Copier Lease/Feb-Mar	1,392.96
17638	02/23/2012	Printed	P344	PADRE JANITORIAL SUPPLIES, INC	Upright Extractor Rental	37.71
17639	02/23/2012	Printed	P521	PETTY CASH-RECREATION	Petty Cash	74.86
17640	02/23/2012	Printed	P342	PSOMAS & ASSOCIATES, INC.	Services Integrated Master Pla	82,096.94
17641	02/23/2012	Printed	P550	PUBLIC SAFETY TRAINING	Mental Preparedness	770.00
17642	02/23/2012	Printed	R651	R.J. SAFETY SUPPLY CO., INC	Fencing Material	41.94
17643	02/23/2012	Printed	R462	REDDY ICE, CORPORATION	Ice	4.86
17644	02/23/2012	Printed	R150	REXEL ESD	Light Installation Del Rio	2,769.94
17645	02/23/2012	Printed	R852	ROMAN RUBIO	Scorekeeper/Ref Feb 13,15,18	98.00
17646	02/23/2012	Printed	S359	SCLLN	2012 Membership	150.00
17647	02/23/2012	Printed	S574	SHARP ELECTRONICS CORPORATI	Copier Maintenance/Dec	135.58
17648	02/23/2012	Printed	S418	SHIFFLER EQUIPMENT SALES, INC	Cafe Chairs	2,276.49
17649	02/23/2012	Printed	S936	TERESA SKREPENSKI	Reimb Mileage Feb 2012	118.80
17650	02/23/2012	Printed	S262	DANIEL DERRICK SOLANO	Basketball Referee Feb 13, 15	60.00
17651	02/23/2012	Printed	S495	SOUTHERN CALIFORNIA GAS CO.	187 425 2700 7	3,787.31
17652	02/23/2012	Printed	S689	STAPLES ADVANTAGE	Pencil Sharpeners	153.16
17653	02/23/2012	Printed	S849	STILLS ELECTRIC	Remove Camera for Repair	499.59
17654	02/23/2012	Printed	S112	NIKOLE SUAREZ	Refund Basketball Fees	40.00
17655	02/23/2012	Printed	T436	TROPICAL DELIGHTS	Sandwiches for Meeting ICTC	69.00
17656	02/23/2012	Printed	U901	UNITED STATES POSTAL SERVIC	City Hall Postage Refill	251.39
17657	02/23/2012	Printed	U435	UPBEAT, INC.	Cigarette Ash Urn- Admin	553.14
17658	02/23/2012	Printed	V730	JORGE VEGA	Refund Deposit 1285 K Street	165.56
17659	02/23/2012	Printed	W221	WAL-MART STORES, INC. #01-1555	Ink	122.22
17660	02/23/2012	Printed	W833	WATER TECH	Controllor	269.71
17661	02/23/2012	Printed	Z158	JOSEPH ZAMUDIO	Basketball Scorekeeper Feb 18	16.00

85

Checks Total (excluding void checks):

688,054.48



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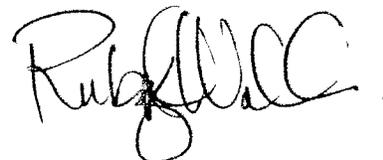
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17662	02/23/2012	Printed	A368	AFLAC INC.	Cancer, Disability Withheld	3,130.9
17663	02/23/2012	Printed	B202	BRAWLEY FIREFIGHTERS LOCAL #19	February Union Dues	390.0
17664	02/23/2012	Printed	B208	BRAWLEY POLICE SERGEANT'S ASSO	February Union Dues	300.0
17665	02/23/2012	Printed	B213	BRAWLEY PUBLIC SAFETY EMPLOYEE	February Union Dues	2,067.0
17666	02/23/2012	Void			Void Check	0.0
17667	02/23/2012	Printed	C889	CALIFORNIA STATE DISBURSEME	Deductions	3,333.5
17668	02/23/2012	Printed	C110	COLUMBUS BANK & TRUST COMPA	Unreimbursed Medical Deduction	638.6
17669	02/23/2012	Printed	C084	CONTINENTAL AMERICAN INS.	Critical Care Withheld	469.6
17670	02/23/2012	Printed	F689	FRANCHISE TAX BOARD	Deductions	2,004.6
17671	02/23/2012	Printed	N944	NATIONAL PLAN COORDINATORS	Deferred Compensation 34023301	7,353.6
17672	02/23/2012	Printed	N187	NATIONWIDE RETIREMENT SOLUTION	Deferred Compensation #05270	1,135.8
17673	02/23/2012	Printed	R770	AURA DALILA RODRIGUEZ	Deductions	830.7
17674	02/23/2012	Printed	S325	SUN COMMUNITY FED. CREDIT UNIO	Credit Union Deductions	1,822.0
17675	02/23/2012	Printed	T542	TEAMSTERS LOCAL #542	February Union Dues	1,638.0
17676	02/23/2012	Printed	U110	UNITED WAY OF IMPERIAL COUN	United Way Deductions	38.0
17677	02/23/2012	Printed	V235	GINA VARGAS	Reimburse Mileage 01/10/12	43.1
			16	<b>Checks Total (excluding void checks):</b>		<b>25,195.7</b>



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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17678	03/01/2012	Printed	A414	AIRWAVE COMMUNICATIONS ENT INC	Headlight Flasher #3964 F.D.	35.11
17679	03/01/2012	Printed	A126	ALSCO AMERICAN LINEN DIV.	Cleaning Services P.D.	310.50
17680	03/01/2012	Printed	A311	AMERICAN SOCIETY OF CIVIL	ASCE/APWA Meeting	48.00
17681	03/01/2012	Printed	A722	AMIGO TELEPHONE	Telephone Installment WWTP	4,941.80
17682	03/01/2012	Printed	A544	GARY ANSIEL	Torque Gauge Tool - Shop	89.30
17683	03/01/2012	Printed	A212	JUAN ANTUNEZ	Reimb. Class B License	141.00
17684	03/01/2012	Printed	A001	YAZMIN ARELLANO	WWTP Staff Meeting	30.60
17685	03/01/2012	Printed	A593	AUTO ZONE, INC.	Battery #210 Engineering	142.10
17686	03/01/2012	Printed	A930	AVAYA FINANCIAL SERVICES	City Hall Phone System Upgrade	150.50
17687	03/01/2012	Printed	B532	BARRETT'S BIOLOGICAL SURVEY	9th Street Survey	1,190.70
17688	03/01/2012	Printed	B210	BRAWLEY CHAMBER OF COMMERCE	Good Morning Breakfast	40.00
17689	03/01/2012	Printed	B578	BRAWLEY MASONIC TEMPLE ASSO	Office Space Rent/March 2012	500.00
17690	03/01/2012	Printed	B123	BRAWLEY POLICE EXPLORERS	Reimb. For Supplies/Bike Race	90.80
17691	03/01/2012	Printed	C312	CA PUBLIC EMP. RETIREMENT SYST	March 2012 Health Insurance	80,684.70
17692	03/01/2012	Printed	C756	CALBO	2012/2013 Membership Dues Fran	215.00
17693	03/01/2012	Printed	C739	CALIFORNIA ENVIRONMENTAL	Self Priming Pump	12,003.30
17694	03/01/2012	Printed	C217	CALIFORNIA HEALTH & SAFETY, IN	SCBA Air Machine Maintenance	1,143.60
17695	03/01/2012	Printed	C561	REMINGTON CAMPBELL	Basketball Referee Feb 18, 25	20.00
17696	03/01/2012	Printed	C066	JULIAN CASTILLO	Basketball Referee Feb 18	20.00
17697	03/01/2012	Printed	D402	DAPPER TIRE CO., INC.	Tires - Stock Shop	875.90
17698	03/01/2012	Printed	D155	DASH MEDICAL GLOVES, INC	EMS Gloves	64.50
17699	03/01/2012	Printed	D516	DEPARTMENT OF TRANSPORTATIO	Elec. Maint. St. Hwy./Oct-Dec	6,068.50
17700	03/01/2012	Printed	D602	DESERT AUTO PLAZA	Replace ECM #101 P.D.	1,483.30
17701	03/01/2012	Printed	D066	CERGIO DURAN	Basketball Ref Feb 14, 18, 21	40.00
17702	03/01/2012	Printed	E145	ELMS EQUIPMENT	Repair of Weedeater - Parks	823.90
17703	03/01/2012	Printed	E171	EMERGENCY MEDICAL PRODUCTS, IN	Medical Supplies	536.60
17704	03/01/2012	Printed	F105	FEDERAL EXPRESS CORP.	Mailings City Clerk	18.60
17705	03/01/2012	Printed	F548	ROBERT C. FIERRO	BB Ref Scorekeeper Feb	176.00
17706	03/01/2012	Printed	G317	JOE P. GARCIA	BB Gym Supervisor Feb 25	32.00
17707	03/01/2012	Printed	G789	MARK GILLMORE	Travel Adv. CPCA Training	1,086.30
17708	03/01/2012	Printed	G158	YVETTE GOMEZ	BB Scorekeeper Feb 21, 23, 25	72.00
17709	03/01/2012	Printed	H208	NATHAN HAMBY	BB Scorekeeper Feb 20,22,23,25	96.00
17710	03/01/2012	Printed	H646	HAZARD CONSTRUCTION CO. INC	Airport Taxiway Rehabilitation	190,992.60
17711	03/01/2012	Printed	H676	JAVIER & GUADALUPE HERRERA	Refund Deposit 676 SCCH	78.10
17712	03/01/2012	Printed	H191	HOWARD ANIMAL HOSPITAL	Vet Services	252.00
17713	03/01/2012	Void			Void Check	0.00
17714	03/01/2012	Void			Void Check	0.00
17715	03/01/2012	Printed	I301	IMPERIAL HARDWARE CO., INC.	Paint, Rollers/Graffiti	2,554.60
17716	03/01/2012	Printed	I103	IMPERIAL IRRIGATION DISTRIC	Power Bill Jan 4 To Feb 1	44,700.80
17717	03/01/2012	Printed	I567	IMPERIAL VALLEY PRESS	1 Year Subscription P.W.	133.60
17718	03/01/2012	Printed	J159	LLOYD JOHNSON	Basketball Referee Feb 25	20.00
17719	03/01/2012	Printed	K797	KEARNY MESA AUTOMOTIVE CO.	Gasket Set, Bolts	261.50
17720	03/01/2012	Printed	L599	LEE & RO. INC.	WTP Variable Frequency Drives	2,044.80
17721	03/01/2012	Printed	L835	GASPAR LOPEZ	Reimb. Water Dist. Cert. Fee	90.00
17722	03/01/2012	Printed	M019	ANGEL MALDONADO	Basketball Referee Feb 18, 25	28.00
17723	03/01/2012	Printed	M714	MANPOWER	Temp Services Thru 02/05/12	597.20
17724	03/01/2012	Printed	M004	MCNEECE BROS OIL COMPANY	Goggles, Mask	560.60
17725	03/01/2012	Printed	M195	MOYLE ELECTRIC	Repair RW Motor #102	2,566.70
17726	03/01/2012	Printed	N114	NATIONAL IMPRINT CORPORATIO	Student Stick-On Police Badges	127.50
17727	03/01/2012	Printed	N418	NEXTEL COMMUNICATIONS, INC.	Cell Phone Charges Council	253.70
17728	03/01/2012	Printed	N045	NORTHEND AUTOPARTS, INC.	Stop Lamp #27 Streets	147.60

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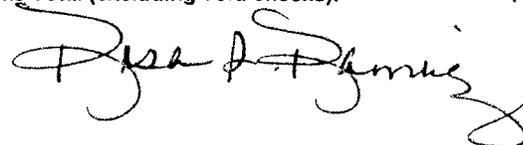
City of Brawley

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17729	03/01/2012	Printed	N469	NTU TECHNOLOGIES, INC.	Coagulant Aid	30,670.80
17730	03/01/2012	Printed	O233	O'REILLY AUTO PARTS	Block Sealer, Cleaners	311.00
17731	03/01/2012	Printed	O123	OCE	Copier Maintenance Feb 2012	63.50
17732	03/01/2012	Printed	O719	ERICK OCEGUERA	BB Referee Feb 20, 21, 22, 25	130.00
17733	03/01/2012	Printed	O125	OFFICE SUPPLY CO.	Pens, Clips, Notepads	313.10
17734	03/01/2012	Printed	O901	ORANGE COMMERCIAL CREDIT	Coliform Analysis	1,725.00
17735	03/01/2012	Printed	P113	PETTY CASH -CITY CLERK	Petty Cash - City Clerk	150.80
17736	03/01/2012	Printed	P188	PLUMMER UPHOLSTERY	Repair Seat #48 P.D.	383.70
17737	03/01/2012	Printed	P342	PSOMAS & ASSOCIATES, INC.	Services Transfer Station	5,198.10
17738	03/01/2012	Printed	P104	PUBLIC EMPLOYEES RETIREMENT	2/07/12-2/20/12 PERS	96,838.00
17739	03/01/2012	Printed	R107	RAIN FOR RENT	PVC Pipe, Fittings, Controller	506.50
17740	03/01/2012	Printed	R432	REDWOOD BIOTECH	Narcotic Test Kits	188.50
17741	03/01/2012	Printed	R947	C.W. ROEN CONSTRUCTION, CO.	WWTP Improvements 2009-08	191,321.60
17742	03/01/2012	Printed	R852	ROMAN RUBIO	Ref, Scorekeeper Feb20,22,25	76.00
17743	03/01/2012	Printed	S179	SACRAMENTO POLICE DEPT	2012 CPCA Training Symposium	500.00
17744	03/01/2012	Printed	S871	SIGMANET, INC.	HP Compaq Computer	1,083.30
17745	03/01/2012	Printed	S508	GUILLERMO SILLAS	Reimb Travel MUTCD Training	38.20
17746	03/01/2012	Printed	S169	SMALL EQUIPMENT CENTER	Recoil Spring	38.10
17747	03/01/2012	Printed	S262	DANIEL DERRICK SOLANO	BB Referee Feb 22, 23	50.00
17748	03/01/2012	Printed	S232	JUSTIN SOLANO	BB Referee Feb 20, 25	80.00
17749	03/01/2012	Printed	S495	SOUTHERN CALIFORNIA GAS CO.	015 325 6300 2	255.30
17750	03/01/2012	Printed	S566	SPARKLETTS	Water, Cooler Rentals	469.90
17751	03/01/2012	Printed	S760	SPECTRUM	Video Tape Council Meeting	400.00
17752	03/01/2012	Printed	S750	STAPLES, INC.	Daily Planner	21.50
17753	03/01/2012	Printed	T566	TOTAL TECHNOLOGY SOLUTIONS	Cabling Internet Services	14,552.00
17754	03/01/2012	Printed	U630	UNITED PARCEL SERVICE, INC	Shipping Charges P.W.	83.70
17755	03/01/2012	Printed	V431	TONY VERDUGO	Reimb. Class B License	141.00
17756	03/01/2012	Printed	W221	WAL-MART STORES, INC. #01-1555	Drinks Health Fair Expo	9.20
17757	03/01/2012	Printed	W833	WATER TECH	Sprinkler	239.30
17758	03/01/2012	Printed	W551	WESTERN GROWERS INSURANCE	Safety & Loss Control 2/1,10	914.00
17759	03/01/2012	Printed	Z158	JOSEPH ZAMUDIO	Basketball Scorekeeper Feb 25	16.00

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Checks Total (excluding void checks):

705,350.30



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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17760	03/08/2012	Printed	A883	ADRIANA ACEVEDO	Refund Deposit 1060 Panno Rd.	17.04
17761	03/08/2012	Printed	A371	ADT SECURITY SERVICES INC.	Alarm Monitoring AdmIn. Bldg.	135.59
17762	03/08/2012	Printed	A368	AFLAC INC.	Flex One Service Fee Feb. 2012	68.00
17763	03/08/2012	Printed	A414	AIRWAVE COMMUNICATIONS ENT INC	Noise Cancelling Ear Headset	1,241.67
17764	03/08/2012	Printed	A126	ALSCO AMERICAN LINEN DIV.	Cleaning Services Recreation	266.24
17765	03/08/2012	Printed	A915	AM COPIERS, INC.	Copier Maintenance /WTP	30.87
17766	03/08/2012	Printed	A211	LEE AMBURGY	Travel Adv. Public Safety	51.00
17767	03/08/2012	Printed	A903	AMERICAN SMALL BUSINESS ALLIAN	FAA Western Pacific Conference	750.00
17768	03/08/2012	Printed	A212	JUAN ANTUNEZ	Travel Adv. DlSt. Cert.Reveiw	347.40
17769	03/08/2012	Printed	A134	ARAMARK UNIFORM SERVICES, INC.	Cleaning Services Recreation	33.84
17770	03/08/2012	Printed	A140	ASSOCIATED DESERT NEWSPAPER	Notice Of Public Hearing	3,920.07
17771	03/08/2012	Printed	A688	AT&T LONG DISTANCE	Long Distance Service	16.92
17772	03/08/2012	Printed	A461	AT&T-CALNET 2	Telephone Services 1/20-2/19	3,740.08
17773	03/08/2012	Printed	A138	ATCO INTERNATIONAL	Cirtex Degreaser	199.80
17774	03/08/2012	Printed	A592	AUTO ZONE, INC. #2804	Screwdriver, Hex Key	137.04
17775	03/08/2012	Printed	A277	AVAYA INC.	Service Agreements	465.71
17776	03/08/2012	Printed	B222	BNI BUILDING NEWS	CA Construction Code 2012	77.26
17777	03/08/2012	Printed	B210	BRAWLEY CHAMBER OF COMMERCE	Mayor's Breakfast/Arellano	20.00
17778	03/08/2012	Printed	B269	BRAWLEY TRACTOR PARTS	Air and Oil Filters - Shop	422.65
17779	03/08/2012	Printed	B747	BRENNTAG PACIFIC INC.	Hydrochloric Acid	1,676.79
17780	03/08/2012	Printed	B411	BSN SPORTS	Bases, Top Plate, Anchors	643.59
17781	03/08/2012	Printed	C745	CALIFORNIA CONTRACTORS	Bit Assortment	317.88
17782	03/08/2012	Printed	C969	CALIFORNIA DIESEL COMPLIANCE	Smoke Opacity Tests	385.00
17783	03/08/2012	Printed	C208	CASTANEDA & ASSOCIATES	Sustainable Planning Grant	2,500.00
17784	03/08/2012	Printed	C718	MAGHEN CAUDILL	Travel Adv. Public Safety	51.00
17785	03/08/2012	Printed	C423	CONSOLIDATED ELECTRICAL DIST I	Lamps	38.82
17786	03/08/2012	Printed	C460	DONALD W COOK	Refund Dep/Overpymt 204 N 8th	255.03
17787	03/08/2012	Printed	C225	CRWA	CRWA EXPO 2012/Mireles	390.00
17788	03/08/2012	Printed	D103	DELTA DENTAL	Dental Insurance March 2012	9,481.03
17789	03/08/2012	Printed	D478	DEPARTMENT OF JUSTICE	Fingerprint Application	1,032.00
17790	03/08/2012	Printed	D898	DUFLOCK & ASSOCIATES	Refund Dep/OvPym 1163 Cedar Ct	210.28
17791	03/08/2012	Printed	D066	CERGIO DURAN	Basketball Referee Feb 29	20.00
17792	03/08/2012	Printed	D223	MANUEL DURAN	Translate CDBG Public Hearing	73.00
17793	03/08/2012	Printed	E145	ELMS EQUIPMENT	Air Filter, Oil, Autocut Head	149.33
17794	03/08/2012	Printed	F358	THE FAIR STORE	Safety Boots Saul Sandoval	150.00
17795	03/08/2012	Printed	F105	FEDERAL EXPRESS CORP.	Mailings/City Clerk	7.25
17796	03/08/2012	Printed	F787	FIELD ASSET SERVICES	Refund Deposit 825 Hickory Ct	130.22
17797	03/08/2012	Printed	F257	FIRE SERVICE CORP.	Fire System Survey	173.70
17798	03/08/2012	Printed	G255	GALLS, INC.	O.C. Spray, Maglight Bulbs	105.24
17799	03/08/2012	Printed	G966	GIBSON & SCHAEFER, INC.	Sack Concrete	135.51
17800	03/08/2012	Printed	G229	ALMA ROSA GOMEZ	Refund Dep/Ovpymt 1039 Alamo	178.38
17801	03/08/2012	Printed	G158	YVETTE GOMEZ	BB Scorekeeper Feb 27, 29	32.00
17802	03/08/2012	Printed	H208	NATHAN HAMBY	BB Scorekeeper Feb 27, 29	32.00
17803	03/08/2012	Void			Void Check	0.00
17804	03/08/2012	Void			Void Check	0.00
17805	03/08/2012	Printed	H158	HD SUPPLY WATERWORKS, LTD.	Corp Stop, Couplings	25,481.02
17806	03/08/2012	Printed	H104	HOLMAN PROFESSIONAL COUNSELING	Employee Assistance March 2012	642.39
17807	03/08/2012	Void			Void Check	0.00
17808	03/08/2012	Void			Void Check	0.00
17809	03/08/2012	Printed	I301	IMPERIAL HARDWARE CO., INC.	Nuts, Washers, Bolts	1,027.48
17810	03/08/2012	Printed	I443	IMPERIAL PRINTERS	Receipt Books	807.14
17811	03/08/2012	Printed	I133	IMPERIAL VALLEY CYCLE CENTER I	Replace Tires, Brakes M/C Unit	1,629.35

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17812	03/08/2012	Printed	I602	IMPERIAL VALLEY PAINT CENTE	Aquapon Epoxy White Paint	653.39
17813	03/08/2012	Printed	J268	JULIAN JIMENEZ	Travel Adv. Dist. Cert. Review	347.40
17814	03/08/2012	Printed	J033	JOHN DEERE FINANCIAL	Forward Wheel Service	28.50
17815	03/08/2012	Printed	J309	JONES & STOKES, INC.	COB Service Area Plan	2,082.50
17816	03/08/2012	Printed	K155	REGINA KIM	Travel Adv. Public Safety	51.00
17817	03/08/2012	Printed	K017	RICK KLICKA	Refund OverPymt 1120 Panno Rd	43.18
17818	03/08/2012	Printed	K933	NANNETTE KNIFFIN	Refund Deposit 643 W E Street	150.03
17819	03/08/2012	Printed	K542	KNORR POOL SYSTEMS, INC.	Repair Pool Heater	1,440.04
17820	03/08/2012	Printed	L077	BLANCA LARA	Travel Adv. Public Safety	51.00
17821	03/08/2012	Printed	L541	JOSE LIMON	Travel Adv. Dist. Cert. Review	347.40
17822	03/08/2012	Printed	M714	MANPOWER	Temp Services Thru 02/12/12	597.20
17823	03/08/2012	Printed	M979	REFUGIO MARTINEZ	Reimb. Animal Care Conf.	264.25
17824	03/08/2012	Printed	M735	JUDETH MC KINDLEY	Refund Deposit 1018 Jennifer	111.03
17825	03/08/2012	Printed	M617	JOSE B MUNOZ	Refund Dep 643 Robert Noriega	165.56
17826	03/08/2012	Printed	N045	NORTHEND AUTOPARTS, INC.	Brake Pads P.D. #914	395.25
17827	03/08/2012	Printed	N833	RUDY NUNEZ	Travel Adv. Public Safety	51.00
17828	03/08/2012	Printed	O233	O'REILLY AUTO PARTS	Bushings Recreation #85	10.75
17829	03/08/2012	Printed	O755	OCE IMAGISTICS, INC.	Copier Maintenance, Supplies	11.00
17830	03/08/2012	Printed	O125	OFFICE SUPPLY CO.	Copy Paper	280.09
17831	03/08/2012	Printed	O824	OFSI	Planning Copier March	372.91
17832	03/08/2012	Printed	O669	MARIO ANTHONY OJEDA	Refund Deposit 632 Gilmour	121.14
17833	03/08/2012	Printed	O901	ORANGE COMMERCIAL CREDIT	Effluent Analysis WWTP	13,070.00
17834	03/08/2012	Printed	P399	HECTOR PARAMO	Reimb. Mileage/Examinations	372.08
17835	03/08/2012	Printed	B581	PC PARTNERS, LLC	Troubleshoot, Testes Computers	234.85
17836	03/08/2012	Printed	P110	PESTMASTER SERVICES	Pest Control P.W.	100.00
17837	03/08/2012	Printed	P370	PIONEERS MEMORIAL HOSPITAL	Physicals, Vaccines	380.50
17838	03/08/2012	Printed	P255	PITNEY BOWES PURCHASE POWER	Postage - Police Dept.	207.99
17839	03/08/2012	Printed	P188	PLUMMER UPHOLSTERY	Repair Seat Streets #28	187.12
17840	03/08/2012	Printed	P780	PRINCE & ASSOCIATES	Refund OverPymt 1173 Welcome	96.59
17841	03/08/2012	Printed	P903	PRINCIPAL FINANCIAL GROUP	Life Insurance March 2012	4,013.20
17842	03/08/2012	Printed	Q740	QUEST DIAGNOSTICS, INC.	Evidentiary Drug Analysis	118.24
17843	03/08/2012	Printed	R651	R.J. SAFETY SUPPLY CO., INC	Safety Glasses, Lens Cleaner	208.40
17844	03/08/2012	Printed	R107	RAIN FOR RENT	Hunter Pop Up	121.79
17845	03/08/2012	Printed	R163	RDO EQUIPMENT CO.	Air Cleaner Bowl, Filter #85	81.02
17846	03/08/2012	Printed	R462	REDDY ICE, CORPORATION	Ice F.D.	347.39
17847	03/08/2012	Printed	R914	SANDRA RICKER	Refund Deposit 268 W Allen	117.90
17848	03/08/2012	Printed	R852	ROMAN RUBIO	BB Referee Feb 27, 29	40.00
17849	03/08/2012	Printed	R536	MANUELA & SOCORRO RUELAS	Refund Deposit 268 Riverwood	14.35
17850	03/08/2012	Printed	R350	FERNANDO RUIZ, INC.	Services/CUPA Business	600.00
17851	03/08/2012	Printed	R611	ADRIANA RUIZ	Travel Adv. Public Safety	51.00
17852	03/08/2012	Printed	S873	SIEMENS INDUSTRY, INC.	Flow Meter, Adapters	4,702.53
17853	03/08/2012	Printed	A372	SIERRA ERGONOMICS, INC	Workstation Assessment	1,110.00
17854	03/08/2012	Printed	S412	SONIA CORINA, INC.	Dial A Ride March 2012	16,060.00
17855	03/08/2012	Printed	S689	STAPLES ADVANTAGE	Post-Its, Letter Pads	468.42
17856	03/08/2012	Printed	S712	STIFF EQUIPMENT INC.	Square Tubing	38.79
17857	03/08/2012	Printed	S849	STILLS ELECTRIC	Replace Time Clock	5,566.88
17858	03/08/2012	Printed	T964	LORETTA TIGERT	Refund Deposit/918 Calle Luna	69.99
17859	03/08/2012	Printed	T808	TIME WARNER CABLE	Internet 8448 42 002 0055391	139.90
17860	03/08/2012	Printed	U790	U.S. BANK CORPORATE	Credit Card Charges D Campbell	392.78
17861	03/08/2012	Printed	U411	U.S. HEALTHWORKS MEDICAL IN	Fit For Duty POST Medical Eval	500.00
17862	03/08/2012	Printed	U404	UNIFIRST CORPORATION	Uniforms/Julian Jimenez	249.41

Check Register Report

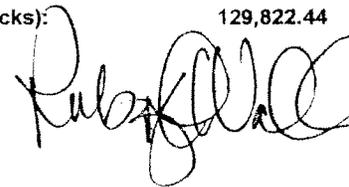
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 Page: 3

City of Brawley

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
<b>Checks</b>						
17863	03/08/2012	Printed	U630	UNITED PARCEL SERVICE, INC	Mailings K Street Project	675.33
17864	03/08/2012	Printed	U156	UNITED ROTARY BRUSH CORP.	Gutter Broom Street #15,16,110	443.00
17865	03/08/2012	Printed	U901	UNITED STATES POSTAL SERVIC	City Hall Postage Refill	2,901.39
17866	03/08/2012	Printed	U311	URBAN FUTURES INC.	BR005 Plan CRA Services	4,612.50
17867	03/08/2012	Printed	U602	USA BLUEBOOK, INC	Service Valve Box Cleaner	279.84
17868	03/08/2012	Printed	V335	V & V MANUFACTURING INC.	Uniform Badge Repairs	120.84
17869	03/08/2012	Printed	V079	VERIZON WIRELESS SERVICES L	Ipads Mobile Broadband/Council	81.22
17870	03/08/2012	Printed	V452	VISION SERVICE PLAN (CA), I	March Vision Insurance	2,948.73
17871	03/08/2012	Printed	W833	WATER TECH	Bushings	276.69
17872	03/08/2012	Printed	W355	BERTHA ALICIA WHITE	Guitar Instructor 2/11-3/1	471.75
17873	03/08/2012	Printed	Z125	ZEP MANUFACTURING CO, INC.	Engine Degreaser	80.82

114

Checks Total (excluding void checks): 129,822.44



Check Register Report

Date: 03/08/2012

Time: 4:14 PM

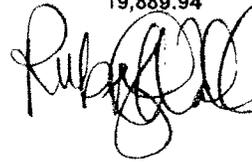
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City of Brawley

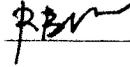
Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
17874	03/09/2012	Printed	A368	AFLAC INC.	Cancer, Disability Withheld	3,175.06
17876	03/09/2012	Printed	C889	CALIFORNIA STATE DISBURSEME	Deductions	3,275.03
17877	03/09/2012	Printed	C110	COLUMBUS BANK & TRUST COMPA	Unreimbursed Medical Deduction	638.65
17878	03/09/2012	Printed	C240	COURT SERVICES (CIVIL)	Deductions	75.00
17879	03/09/2012	Printed	F689	FRANCHISE TAX BOARD	Deductions	1,516.44
17880	03/09/2012	Printed	N944	NATIONAL PLAN COORDINATORS	Deferred Compensation 34023301	7,383.18
17881	03/09/2012	Printed	N187	NATIONWIDE RETIREMENT	Deferred Compensation #05270	1,135.81
17882	03/09/2012	Printed	R770	AURA DALILA RODRIGUEZ	Deductions	830.77
17883	03/09/2012	Printed	S325	SUN COMMUNITY FED. CREDIT UNIO	Credit Union Deductions	1,822.00
17884	03/09/2012	Printed	U110	UNITED WAY OF IMPERIAL COUN	United Way Deductions	38.00

10

19,889.94



**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: March 20, 2012  
City Manager: 

**FROM:** Prepared by: Ana Gutierrez, Contract Manager  
Presented by: Yazmin Arellano, Public Works Director

**SUBJECT:** Approve Amendment No. 6 to Dial-A-Ride Transit Agreement with Isabel Pacheco dba Sunrise Driving Services and the City of Brawley for a 6 month time extension and restoration of Saturday service.

**CITY MANAGER RECOMMENDATION:** Approve Amendment No. 6 to Transit Agreement for Dial-A-Ride services with Isabel Pacheco dba Sunrise Driving Services and the City of Brawley for a time extension of 6 months and restore Saturday service.

**DISCUSSION:** The existing Transit Agreement between Sunrise Driving Services and the City of Brawley expires on June 30, 2012.

The City had extended the Agreement in Amendment No. 5 to the Imperial County Transportation Commission (ICTC) who are currently provide on the Request for Statements of Qualification and Proposals for consolidated with additional to prepare Dial-A-Ride services with the appropriate Federal, State and local laws and regulations per the provisions of the Federal Transit Administration (FTA), the American with Disabilities Act (ADA) and the Transportation Development Act (TDA). The effort is still under views at ICTC and will not be completed until 2012.

Amendment No. 6 will extend the agreement for an additional 6 months to allow ICTC Staff to complete the above mentioned task and restore primary vehicle Saturday working hours (per paragraph 7 of the Agreement dated April 15, 2008) to Saturdays 9:00 a.m. to 1:00 p.m.

**FISCAL IMPACT:** LTF SB325 Fund

**ATTACHMENTS:** Amendment No. 6.

**AMENDMENT NO. 6**

**CITY OF BRAWLEY**

**TRANSIT AGREEMENT – DIAL A RIDE**

This Amendment is entered this 20<sup>th</sup> day of March, 2012 between the City of Brawley, a municipal corporation of the State of California (“City”) and Sunrise Driving Services, hereinafter referred to as “Carrier.”

**WITNESSETH**

**WHEREAS**, the parties hereto entered into an agreement dated April 15, 2008, which sets forth the terms upon which Carrier would provide services to the City (“Agreement”), and

**WHEREAS**, the Agreement expired on June 30, 2012 per Amendment No. 5; and

**WHEREAS**, the parties wish to extend the term of the Agreement.

**NOW THEREFORE, IT IS AGREED AS FOLLOWS:**

1. The above referenced recitals are true and correct and are incorporated herein by this reference.
2. Amendment No. 6 is amended such that the term of the Agreement will expire on December 31, 2012.
3. Paragraph 7 of the Agreement is amended such that the hours of service reflect that Saturday service will be restored from 9:00 a.m. to 1:00 p.m.
4. Except as set forth herein, the terms of the Agreement shall remain in full force and effect.

**CITY OF BRAWLEY**

**DIAL-A-RIDE**

By: \_\_\_\_\_  
**Rosanna Bayon Moore**, City Manager

By: \_\_\_\_\_  
**Isabel Pacheco**, dba Sunrise Driving Services

**ATTEST:**

By: \_\_\_\_\_  
**Alma Benavides**, City Clerk

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: March 20, 2012

City Manager: 

**FROM:** Prepared by: Ana Gutierrez, Contract Manager  
Presented by: Yazmin Arellano-Torres, P.E., Public Works Director

**SUBJECT:** Award bid to AP Construction, for Project No. 2012-08, Re-advertisement for the Purchase and Installation of Variable Frequency Drives, which includes, Purchase and the Installation of 2 Variable Frequency Drives with enclosures and all necessary appurtenances as shown on the drawings and as specified in the Technical Specifications for an amount of \$148,323.

**CITY MANAGER RECOMMENDATION:** Award bid to AP Construction, Inc., for Project No. 2012-08, Purchase and Installation of Variable Frequency Drives for \$148,323.00 and authorize the City Manager to execute all documentation in relation to this project.

**DISCUSSION:** On January 31, 2012, the City of Brawley, Engineering Department advertised Project No. 2012-08, Re-advertisement for the Purchase and Installation of Variable Frequency Drives. On March 1, 2012, two bids were received as follows:

Nordic Construction San Diego, CA	\$135,000
AP Construction, Inc. Torrance, CA	\$148,323

Nordic Construction's bid in the amount of \$135,000 for the Base Bid and Additive 1 is considered non responsive for the following reasons:

1. No listed Subcontractors
2. No Good Faith Effort
3. Failure to complete Buy American Requirements

This project is funded by a grant from the California Energy Commissions. CEC requirements were not met and, as such, the low bidder's non-responsive. Therefore, staff recommends AP Construction to perform the work.

**FISCAL IMPACT:** \$120,000 Grant from California Energy Commissions and \$28,323 from Water Enterprise Fund.

**ATTACHMENTS:** Bid Summary, dated March 1, 2012.

**BID SUMMARY FOR SPECIFICATION NO. 2012-08:**

**BID OPEN DATE:** March 1, 2012 @ 2:00 PM

Purchase and Installation of Variable Frequency Drives

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
AP Construction, Inc. 3555 Voyager Street, Suite B Torrance, CA 90503	<p><b>\$79,934</b></p> <p><b>\$68,389</b></p> <p><b>\$71,389</b></p>		<p><input type="checkbox"/> Acknowledge of Addenda (1)</p> <p><input type="checkbox"/> Bid Bond</p> <p><input type="checkbox"/> Non-Collusion Affidavit</p> <p><input type="checkbox"/> Public Contract Code Section 10162 Questionnaire</p> <p><input type="checkbox"/> List of Proposed Subcontractors</p> <p><input type="checkbox"/> Major Material</p> <p><input type="checkbox"/> Debarment and Suspension Certification</p> <p><input type="checkbox"/> Nondiscrimination Clause</p> <p><input type="checkbox"/> Equal Employment Opportunity Clauses</p> <p><input type="checkbox"/> Equal Employment Certification</p> <p><input type="checkbox"/> Drug Free Workplace Certification</p> <p><input type="checkbox"/> Disadvantaged Business Enterprise Information</p> <p><input type="checkbox"/> Exhibit 15-G1 Local Agency Bidder UDBE Commitment</p> <p><input type="checkbox"/> Instruction UDBE Commitment</p> <p><input type="checkbox"/> Exhibit 15-G2 Agency Bidder DBE Information</p> <p><input type="checkbox"/> Instruction DBE Information</p> <p><input type="checkbox"/> MBE/WBES Form 4</p> <p><input type="checkbox"/> Certification of Bidder Regarding Female Minority Subcontractors</p> <p><input type="checkbox"/> Buy American Requirement Certification</p> <p><input type="checkbox"/> Federal Requirement for Reporting American Recovery and Reinvestment Act</p> <p><input type="checkbox"/> Federal Contract Provisions</p> <p><input type="checkbox"/> Non-lobbying Certification for Federal-Aid Contracts</p> <p><input type="checkbox"/> Disclosure of Lobbying Activities</p>

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
<p>Nordic Construction            9176 Chesapeake Drive            San Diego, CA 92123</p>	<p><b>\$85,000</b></p> <p><b>\$50,000</b></p> <p><b>\$50,000</b></p>		<p><input type="checkbox"/> Acknowledge of Addenda (1)</p> <p><input type="checkbox"/> Bid Bond</p> <p><input type="checkbox"/> Non-Collusion Affidavit</p> <p><input type="checkbox"/> Public Contract Code Section 10162 Questionnaire</p> <p><input type="checkbox"/> List of Proposed Subcontractors</p> <p><input type="checkbox"/> Major Material</p> <p><input type="checkbox"/> Debarment and Suspension Certification</p> <p><input type="checkbox"/> Nondiscrimination Clause</p> <p><input type="checkbox"/> Equal Employment Opportunity Clauses</p> <p><input type="checkbox"/> Equal Employment Certification</p> <p><input type="checkbox"/> Drug Free Workplace Certification</p> <p><input type="checkbox"/> Disadvantaged Business Enterprise Information</p> <p><input type="checkbox"/> Exhibit 15-G1 Local Agency Bidder UDBE Commitment</p> <p><input type="checkbox"/> Instruction UDBE Commitment</p> <p><input type="checkbox"/> Exhibit 15-G2 Agency Bidder DBE Information</p> <p><input type="checkbox"/> Instruction DBE Information</p> <p><input type="checkbox"/> MBE/WBEs Form 4</p> <p><input type="checkbox"/> Certification of Bidder Regarding Female Minority Subcontractors</p> <p><input type="checkbox"/> Buy American Requirement Certification</p> <p><input type="checkbox"/> Federal Requirement for Reporting American Recovery and Reinvestment Act</p> <p><input type="checkbox"/> Federal Contract Provisions</p> <p><input type="checkbox"/> Non-lobbying Certification for Federal-Aid Contracts</p> <p><input type="checkbox"/> Disclosure of Lobbying Activities</p>

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: 03/20/2012

City Manager: 

**FROM:** Prepared by: Yazmin Arellano, Public Works Director  
Presented by: Rosanna Bayon Moore, City Manager

**SUBJECT:** Authorize Improvement Memorandum of Agreement with Brawley Oak Glen Land, LLC, and Brawley Latigo Land, LLC (Subdivider).

**CITY MANAGER RECOMMENDATION:** Authorize Improvement Memorandum of Agreement with Brawley Oak Glen Land, LLC, and Brawley Latigo Land, LLC (Subdivider).

**DISCUSSION:** The Latigo Ranch Subdivision Final Map was filed and recorded on November 22, 2005. This Map showed a subdivided Unit 1 and a remainder parcel. A total of 18 homes were built in Unit 1 from 2005 to date. This agreement affects those lots not yet developed which include the remaining lots in Unit 1 and the remainder parcel as Unit 2.

Given the City's spirit of interest in addressing incomplete housing developments, City Staff entered into discussion with the Latigo Ranch Subdivider to build certain offsite improvements in phases to provide access to the existing subdivision from Wildcat Drive. The Subdivider has a parcel reserved for a school at the intersection of Legion Street and S. 1<sup>st</sup> Street. The 2 phases for construction of offsite improvements are called "Improvements I" and "Improvements II."

"Improvements I" will involved construction of the eastern half of S. Western Avenue from Wildcat Drive to Legion Street; the northern half of Legion Street from S. Western Avenue to S. 1<sup>st</sup> Street; and the full width of S. 1<sup>st</sup> Street from Legion Street to the already improved S. 1<sup>st</sup> Street in Unit 1. "Improvements I" will yield 24 Certificates of Occupancy for Unit 1.

"Improvements II" will construct the southern half of Wildcat Drive from Western Avenue to the S. 1<sup>st</sup> Street intersection, including the pipelining of the IID Best Canal. "Improvements II" will yield 72 Certificates of Occupancy for Unit 1.

The City Attorney has reviewed this agreement. It is noted that no additional improvements are contemplated for the retention basin/open space at this time. However, the agreement is reasonable and approval is recommended.

**FISCAL IMPACT:** None at this time

**ATTACHMENTS:** Improvement Memorandum of Agreement

Recording Requested by:  
CITY CLERK

When Recorded, Mail to:  
CITY OF BRAWLEY  
Attn: City Clerk  
383 W. Main Street  
Brawley, Ca. 92227

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No transfer tax is due as this is a conveyance to a public agency of less than a fee interest for which no cash consideration has been paid or received.

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Declarant

### IMPROVEMENT MEMORANDUM OF AGREEMENT

THIS IMPROVEMENT MEMORANDUM OF AGREEMENT (Agreement), made and entered into \_\_\_\_\_, 201\_, (“Effective Date”) by and between THE CITY OF BRAWLEY, a municipal corporation, hereinafter called (“City”), and Brawley Oak Glen Land LLC, a Delaware limited liability company and Brawley Latigo Land LLC, a Delaware limited liability company, hereinafter called (“Subdivider”) who agree to the following.

#### RECITALS

1. The City of Brawley approved the request of Subdivider’s predecessor in interest, McMillin Latigo Ranch, LLC, a Delaware limited liability company, for Tentative Tract Map TM05-01 (Major Subdivision), Zone Change ZC05-01, General Plan Amendment GPA05-01 and Mitigated Negative Declaration for that certain Portion of Tract 114 and 115, Township 14 South, Range 14 East, City of Brawley, County of Imperial, State of California. This Agreement shall affect those lots not yet developed which include the remaining lots in Unit 1 and the remainder parcel as Unit 2, the legal description of which is attached as Exhibit 1 (“Property”).

2. Subdivider provided to the Brawley Planning Commission for approval and recordation, a final subdivision map (“Map”) of a subdivision proposed to be known as Latigo Ranch pursuant to the provisions of the Subdivision Map Act of the State of California, and in compliance with the provisions of the Brawley Municipal Code relating to the filing, approval and recordation of the Map. The Planning Commission approved the Map on May 4, 2005 and recorded on November 22, 2005 with the County of Imperial as Document No. 2005-047129 (“Project”).

3. Subdivider desires to build certain offsite improvements in phases in Unit 1 and Unit 2 in accordance with the conditions of approval to benefit the 12.5 acre Brawley Elementary School District site and secure Certificates of Occupancies (“COs”) for lots in Unit 1 of the Project (“Improvements”).

4. The City has agreed to issue a certain number of CO's in phases for the Project's Improvements upon completion and acceptance by the City.

5. Complete plans and specifications for the construction, installation and completion of the Improvements have been prepared and submitted to the City Engineer on file in the office of the City Engineer and are incorporated herein and made a part hereof. Unit 1 plans have been approved by the City. Unit 2 plans have been submitted to the City for review, but have not yet been approved.

6. An estimate of the cost of constructing the Improvements according to said plans and specifications has been submitted and approved by the City. Unit 1 has submitted an engineer's estimate that was approved by the City. Unit 2 has submitted an engineer's estimate, but has not been approved by the City.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as stated herein.

1. Upon completion of offsite improvements of the eastern half-width of South Western Avenue adjoining the existing Wildcat Street improvements with functioning connection to Western Avenue, to West American Legion Street; the northern half-width improvements of West American Legion Street adjacent to the school site; and full width of South First Street from West American Legion Street to the improved section in Unit 1 as described on the attached Exhibit 2 ("Improvements I") the City shall issue Subdivider twenty-four (24) COs for Unit 1.

2. Upon completion of offsite improvements of the southern half-width of Wildcat Street from Western Avenue to South First Street, including the functional intersection of Wildcat Street and South First Street and extending the South First Street offsite improvements to meet the existing improvements on South First Street as described on the attached Exhibit 3 ("Improvements II") the City shall issue Subdivider seventy-two (72) COs for Unit 1.

3. Subdivider may construct Improvements I or II in any order to obtain the corresponding number of COs from the City. Furthermore, if both Improvements I and Improvements II, are completed, the City will have issued Subdivider a total of ninety-six (96) COs for Unit 1.

4. Subdivider, for itself and its successors in interest, agrees to comply with all of the material terms, conditions and requirements of the Tentative Map Resolution and Map; to do and perform or cause to be done and performed, at its own expense, without cost to City, in a good and workmanlike manner, under the direction and to the satisfaction and approval of the City Engineer, the work related to the Improvements required to be done in and adjoining said subdivision as described herein ("Improvement Work"); and will furnish the necessary materials therefor, all in strict conformity and in accordance with the plans and specifications.

5. Subdivider shall install all monuments within thirty (30) days after the completion

of the Improvement Work, and Subdivider will install temporary street name signs if permanent street name signs have not been installed.

6. The City, or any department, board or officer thereof, shall not be liable for any portion of the costs and expenses of the Improvement Work.

7. Subdivider shall pay all engineering costs (including plan checking, inspection, materials furnished and other incidental expenses) incurred by City in connection with the approval of the Improvement Work plans, and installation of the Improvements provided for, and the cost of street signs as required by City and approved by the City Engineer.

8. Subdivider will be responsible for the care, maintenance of, and any damage to, the Improvements until such time as all Improvement Work is complete and accepted by the City. It is further understood and agreed that Subdivider shall guarantee all Improvements for a period of one year from date of acceptance by the City and correct any and all defects or deficiencies arising during said period as a result of the acts or omission of Subdivider, its agents or employees in the performance of this Agreement, and that upon acceptance of the work by City, Subdivider shall grant to City, by appropriate conveyance, the public improvements constructed pursuant to this Agreement; provided, however, that said acceptance shall not constitute a waiver of defects by City as set forth hereinabove.

9. City, or any officer or employee thereof, shall not be liable for any injury to person or property occasioned by reason of the acts or omissions of Subdivider, its agents or employees related to this Agreement. Subdivider further agrees to protect and hold the City, its officers and employees, harmless from any and all claims, demands, causes of action, liability or loss of any sort, because of or arising out of acts or omissions of Subdivider, its agents or employees, or indemnity, related to this Agreement.

10. Subdivider agrees to defend, indemnify, and hold harmless the City or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time period provided for in Section 66499.37 of the Government Code of the State of California.

11. This Agreement shall not be construed in favor of or against either party, but shall be construed as if both parties prepared this Agreement.

12. This Agreement shall inure to Subdivider's successors, heirs, representatives and assigns and Subdivider shall have the right to assign this Agreement.

13. In the event that any phrase, clause, sentence, paragraph, section, article or other portion of this Agreement shall become illegal, null or void or against public policy, for any reason, or shall be held by any court of competent jurisdiction to be illegal, null or void or against public policy, the remaining portions of this Agreement shall not be affected thereby and shall remain in force and effect to the fullest extent permissible by law.

14. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter hereof, and all prior and contemporaneous agreements, representations, negotiations and understandings of the parties either oral or written, are hereby superseded and merged herein.

15. This Agreement and any amendment thereof shall be recorded with the County Recorder of the County of Imperial by the City Clerk of City.

16. City and Subdivider shall execute and deliver to the other all such other and further instruments and documents as may be reasonably necessary to carry out the purposes of this Agreement. Upon satisfactory performance by Subdivider, and subject to the continuing cooperation of the Subdivider, City will commence and in a timely manner proceed to complete all steps necessary for the implementation of this Agreement and development of the Project and Improvements in accordance with the terms of this Agreement.

17. Except as otherwise expressly provided herein, nothing herein contained shall be deemed to be a gift or dedication of the Property, or of the Project, or any portion thereof, to the general public, for the general public, or for any public use or purpose whatsoever, it being the intention and understanding of the parties that this Agreement be strictly limited to and for the purposes herein expressed for the development of the Project as private property. The Subdivider shall have the right to prevent or prohibit the use of the Property, or the Project, or any portion thereof, including common areas and buildings and improvements located thereon, by any person for any purpose which is not consistent with the development of the Project. Any portion of the Property conveyed to the City by the Subdivider as provided herein shall be held and used by the City only for the purposes contemplated herein or otherwise provided in such conveyance, and the City shall not take or permit to be taken (if within the power or authority of the City) any action or activity with respect to such portion of the Property that would deprive the Subdivider of the material benefits of this Agreement, or would in any manner interfere with the development of the Project as contemplated by this Agreement.

18. Upon the completion of Improvements I and/or Improvements II, or upon completion of performance of this Agreement or its earlier revocation and termination, the City shall provide the Subdivider, upon the Subdivider's request, with a statement evidencing said completion or revocation and the release of the Developer from further obligations hereunder, except for any ongoing obligations hereunder ("Certificate of Performance"). The Certificate of Performance shall be signed by the appropriate agents of the Subdivider and the City and shall be recorded in the official records of Imperial County, California. Such Certificate of Performance is not a notice of completion as referred to in California Civil Code Section 3093. City will accept the Improvements upon completion in accordance with the approved plans pursuant to the conditions of approval.

19. Subdivider agrees to cooperate with City and negotiate easements for the benefit of the City.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the Effective Date.

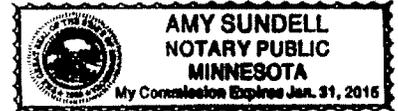
<p>THE CITY OF BRAWLEY</p>  <p>_____  Mayor of the City of Brawley</p> <p>ATTEST _____  City Clerk</p> <p>Approved as to form by:</p> <p>_____  City Attorney</p>	<p>SUBDIVIDER</p> <p>Brawley Oak Glen Land LLC,  a Delaware limited liability company,</p> <p>By: <u>Thomas G. Rock</u>  Name: Thomas G. Rock  Its: Authorized Representative</p> <p>Brawley Latigo Land LLC,  a Delaware limited liability company,</p> <p>By: <u>Thomas G. Rock</u>  Name: Thomas G. Rock  Its: Authorized Representative</p>
--	---

STATE OF ~~CALIFORNIA~~ )  
COUNTY OF Hennepin )

On March 8, 2012 before me, Amy Sundell,  
personally appeared Thomas G. Rock, who proved to me on the basis of satisfactory evidence to  
be the person whose name is subscribed to the within instrument and acknowledged to me that he  
executed the same in his authorized capacity, and that by his signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ <sup>Minnesota</sup> that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.



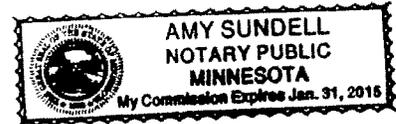
Signature Amy Sundell (Seal)

STATE OF ~~CALIFORNIA~~ )  
COUNTY OF Hennepin )

On March 8, 2012 before me, Amy Sundell,  
personally appeared Thomas G. Rock, who proved to me on the basis of satisfactory evidence to  
be the person whose name is subscribed to the within instrument and acknowledged to me that he  
executed the same in his authorized capacity, and that by his signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ <sup>Minnesota</sup> that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Amy Sundell (Seal)

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_, who proved to  
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to  
the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**EXHIBIT 1**

**PROPERTY LEGAL DESCRIPTION**

Remaining Lots in Unit 1

Real property in the City of Brawley, County of Imperial, State of California, described as follows:

LOTS 1 THROUGH 11 INCLUSIVE, 16 THROUGH 64 INCLUSIVE, 71 THROUGH 85 INCLUSIVE, 87 88, 96 THROUGH 105 INCLUSIVE AND 202 THROUGH 210 INCLUSIVE OF MCMILLIN LATIGO RANCH UNIT NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP ON FILE IN BOOK 24, PAGE 8 OF FINAL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY.

APN: 048-411-002-000 THROUGH 048-411-010-000 INCLUSIVE, 048-412-001-000 THROUGH 048-412-011 INCLUSIVE, 048-412-016-000, 048-413-001-000 THROUGH 048-413-020-000 INCLUSIVE, 048-414-001 THROUGH 048-414-010-000 INCLUSIVE, 048-415-001-000 THROUGH 048-415-026-000 INCLUSIVE, 048-416-011-000 THROUGH 048-416-015-000 INCLUSIVE, 048416-008-000, 048-416-009-000, 048-417-001-000 THROUGH 048-417-012-000 INCLUSIVE.

Remainder Parcel as Unit 2

Real property in the City of Brawley, County of Imperial, State of California, described as follows:

REMAINDER PARCEL OF MCMILLIN LATIGO RANCH UNIT NO. 1, IN THE CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP ON FILE IN BOOK 24, PAGE 8 OF FINAL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY.

APN: 048-411-011-000

EXHIBIT 2  
IMPROVEMENTS I

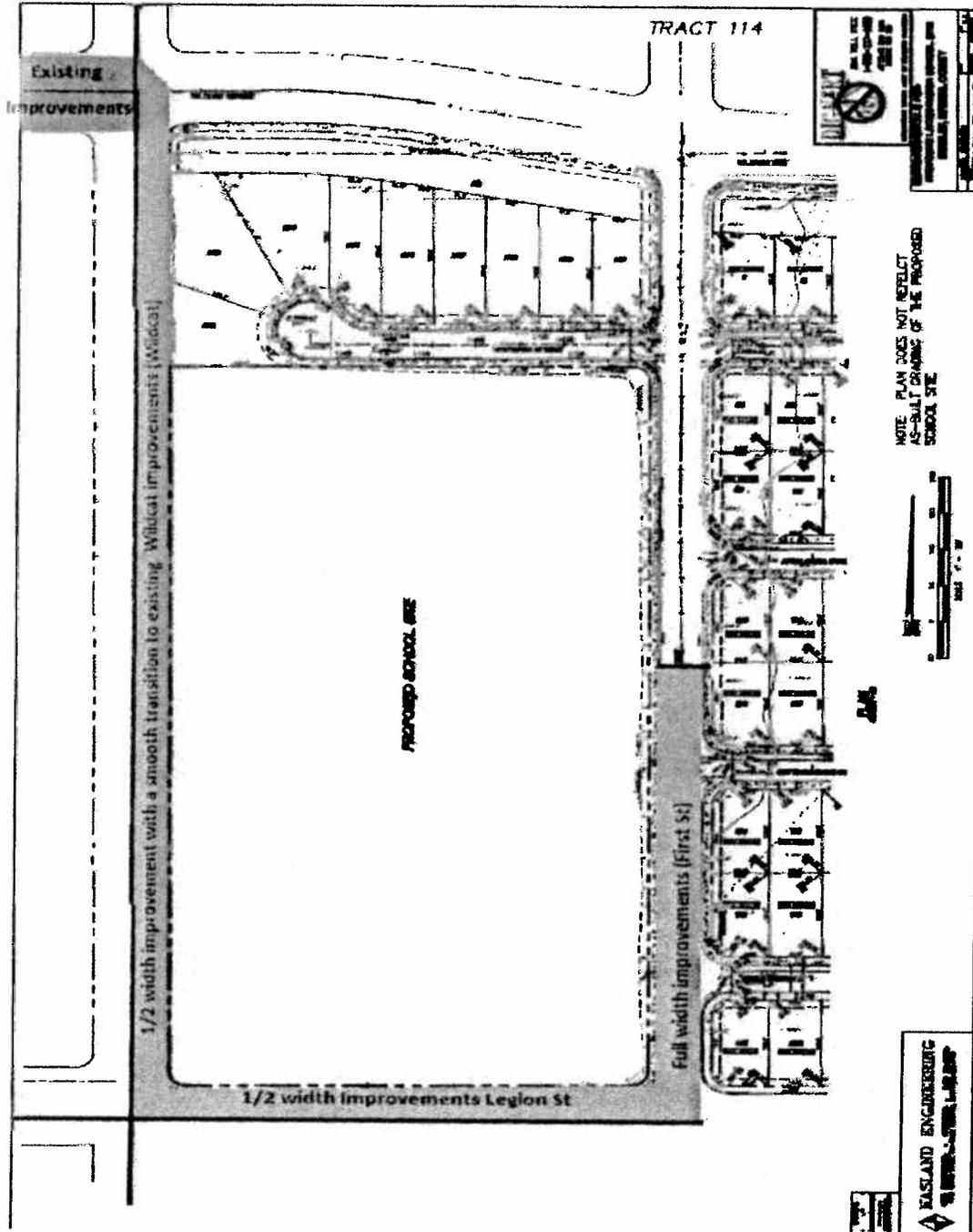
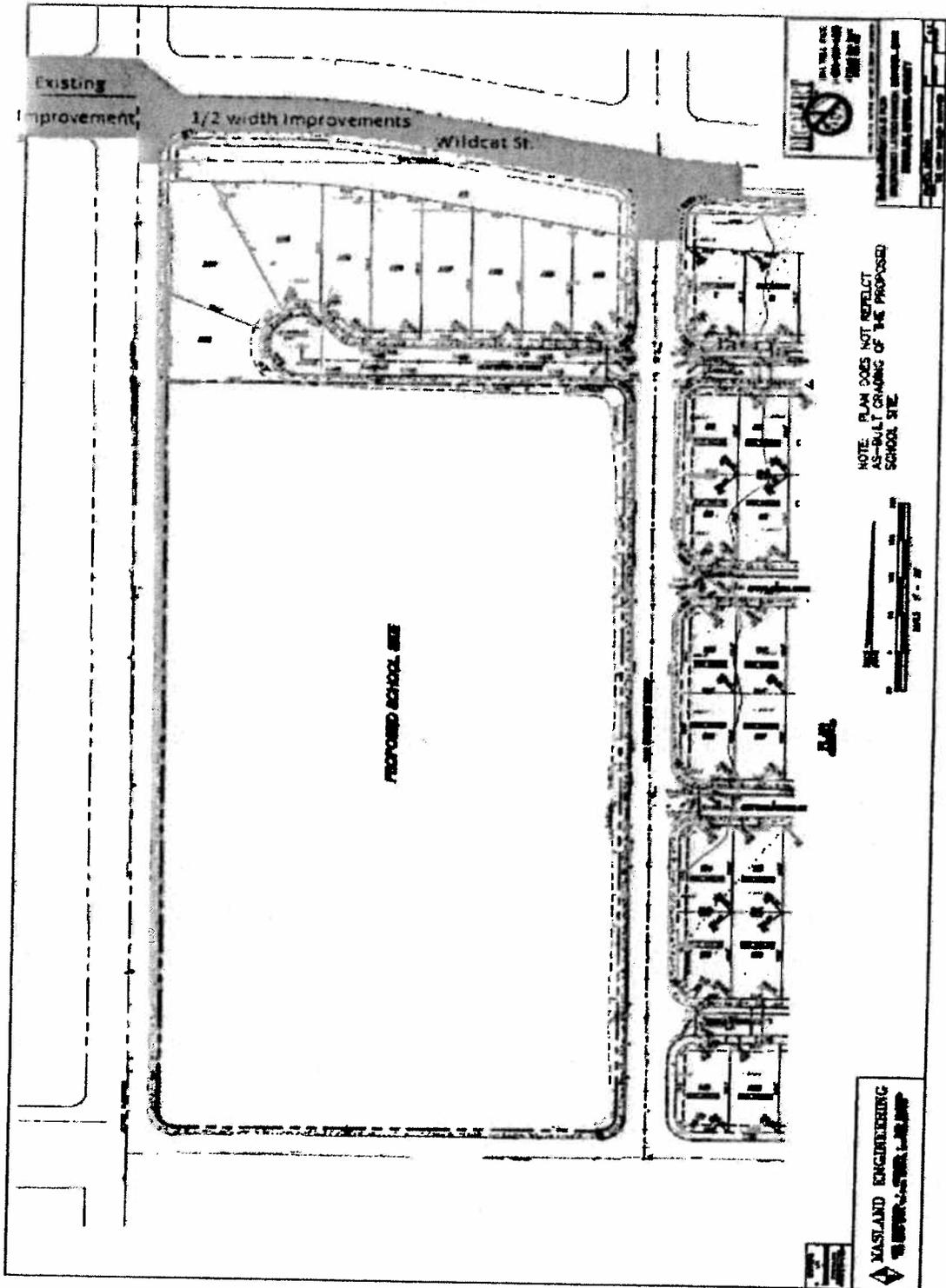
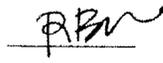


EXHIBIT 3  
IMPROVEMENTS II



**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: 03/20/2012

City Manager: 

**FROM:** Prepared by: Ana Gutierrez, Contract Manager  
Presented by: Yazmin Arellano, Public Works Director

**SUBJECT:** Authorize Contract Change Order No. 13 to Contract No. 2009-06 Wastewater Treatment Plant Improvement Project to C.W. Roen Construction Company in an amount not to exceed \$43,940.

**CITY MANAGER RECOMMENDATION:** Authorize Contract Change Order No. 13 to Contract No. 2009-06, Wastewater Treatment Plant Improvement Project, C.W. Roen Construction Company and authorize the City Manager to execute all documentation in relation to this project.

**DISCUSSION:** The City of Brawley issued Contract No. 2009-06, Wastewater Treatment Plant Improvement Project to C.W. Roen Construction Company. The project is 95% complete. At this stage, a number of items are needed:

Additional controls for the capability to start the return activated sludge (RAS) and waste activated sludge (WAS) pumps from the SCADA/control room. The controls will allow operations time to decrease and thereby allow more efficient use of personnel time to be used more efficiently. Cost \$11,348.

Fee for Contract time extension due to rain. Cost \$957

Installation of power to the generator battery. The original power fit to the battery charger was deleted per contract. New power fit was installed for a proper generator start. Cost \$4,673.

Existing electrical vault is higher in elevation than designed road surface. The lowering of two manholes and a cleanout by building C is needed to make road accessible to through traffic. Cost \$22,899.

The plant water tank by the ultra violet facility is fed by the old plant water pipe which was replaced by a new water pipeline. The connection is needed in order to abandon the old pipeline. Cost \$4,063.

The total cost for Change Order No. 13 will not exceed \$43,940.

The Contractor will be paid the agreed price upon completion of work. The above listed prices include full compensation for all labor, materials, tools and equipment required to complete the work in compliance with plans and original contract specification and to the satisfaction of the Director of Public Works.

The Change Order document shall become an Amendment to the Contract and all provisions of the Contract shall apply thereto.

**FISCAL IMPACT:** \$43,940 Wastewater Plant SRF Loan 2011/2012 Budget.

**ATTACHMENTS:** Change Order with backup documentation.

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: 03/20/2012

City Manager: P. B. M.

**FROM:** Prepared by: Ana Gutierrez, Contract Manager  
Presented by: Yazmin Arellano, Public Works Director

**SUBJECT:** Authorize Contract Change Order No. 2 to Contract No. 2010-02, Fire Station No. 2, to Duggins Construction, Inc. in an amount not to \$18,861.

**CITY MANAGER RECOMMENDATION:** Authorize Contract Change Order No. 2 to Contract No. 2010-02, Fire Station No. 2, to Duggins and authorize the City Manager to execute all documentation in relation to this project.

**DISCUSSION:**The City of Brawley issued Contract No. 2010-02 Fire Station No. 2 to Duggins Construction, Inc. The project is 95% complete. The Project has some pertinent changes that need to be made as follows:

**Rubber Base:** Contractor to provide 4" rubber top set base in areas that were originally designed to received ceramic tile. The ceramic tile additive alternate was not accepted. The tile base was also omitted from the job. Cost is \$2,862.

**Communications Revisions:** Revise the location of the communications radio equipment per Fire Dept. request. This is a required revision to the electrical work. Cost is \$4,856.

**CMU Retaining Wall:** The CMU wall was originally not accepted at bid time. There is a need for a retaining wall on the east side of the property to allow for the fence installation to secure the site. In addition, a small CMU wall around the Mechanical units in the yard is necessary to protect the equipment and install the power connection. Cost is \$11,142.

Total cost for Change Order No. 2 will not exceed \$18,860.90.

The Contractor will be paid the agreed price upon completion of work. The above listed prices include full compensation for all labor, materials, tools and equipment required to complete the work in compliance with plans and original contract specification and to the satisfaction of the Director of Public Works.

The Change Order document shall become an Amendment to the Contract and all provisions of the Contract shall apply thereto.

**FISCAL IMPACT:** \$18,861, General Fund.

**ATTACHMENTS:** Change Order with backup documentation.

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: March 20, 2012  
City Manager: 

**FROM:** Prepared by: Francisco Soto, Building Official  
Presented by: Francisco Soto, Building Official

**SUBJECT:** CDBG Grant Application for Fiscal Year 2012/2013

**CITY MANAGER RECOMMENDATION:** Hold a public hearing regarding the City's application for CDBG Community Development funds for the Housing Rehabilitation program, Homeownership Assistance program, PTA, Public Improvement and Colonia and adopt resolution for said application.

**DISCUSSION:** The City would like to apply for CDBG grant funds for various activities including, Housing Rehabilitation, Homeownership Assistance, Planning & Technical Assistance – Housing Element Update; Public Improvement – Lift Station #2 and Colonia – Malan St. Water Transmission Line Ph. 4.

A potential grant of \$4,000,000 is being sought. A \$2,500 local match is required for the Planning Technical Assistance request of \$200,000.

**FISCAL IMPACT:** Potential grant of \$4,000,000 and General Fund match of \$2,500.

**ATTACHMENTS:** Notice of Public Hearing and Resolution

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Brawley will conduct a public hearing on March 20, 2012 at 6:00 p.m. or soon thereafter at the Council Chambers located at 383 Main Street, Brawley, CA 92227 in order to discuss the submittal of an application in response to the 2012 State Community Development Block Grant (CDBG) Notice of Funding Availability (NOFA), and to solicit citizen input.

The Community Development Services, Planning Department and Public Works Department on behalf of the City of Brawley are applying for Community Development CDBG Grant of \$2,000,000.00 and an additional \$2,000,000.00 Colonia Grant under the 2012 CDBG NOFA for the following eligible activities:

- Housing Rehabilitation and Homeownership Assistance Combo grant to serve the low-mod income household city wide. Entire jurisdiction consisting of census tracts 104, 105, 106 & 107. Grant amount of up to \$1,000,000.00.
- Public Improvements grant to propose to rehabilitate sewer lift station no. 2 located on Richard Avenue between Ronald Street and Steven Street and to install an emergency back-up generator at sewer lift station no. 1 located on South 9<sup>th</sup> Street. Grant Amount of up to \$800,000.00.
- Planning and Technical Assistance (PTA) grant to complete the Housing Element Study update. This activity will have a 5% cash match of \$2,500 to come from the City's general fund. Grant amount of up to \$50,000.00.
- Colonia grant to propose to construct approximately 0.8 miles of new 24-inch water transmission line along the following streets: Malan Street between Eastern Avenue and Best Avenue; Best Avenue between Malan Street and I Street. Grant amount of up to \$2,000,000.00.

The purpose of the public hearing is to give citizens an opportunity to make their comments known on the proposed activities/application.

If you require special accommodations to participate in the public hearing, please contact the City Clerk's Office at (760) 351-3059.

If you are unable to attend the public hearing, you may direct written comments to the City of Brawley, at 383 Main Street, Brawley, CA 92227 or may telephone City Clerk's Office at (760) 351-3059. In addition, information is available for review at the above address between the hours of 7:30 a.m. – 4:30 p.m. on Monday through Friday.

The City of Brawley promotes fair housing and makes all its programs available to low and moderate income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status or handicap.

RESOLUTION NO. 2012-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY,  
CALIFORNIA APPROVING A 2012 CDBG APPLICATION FOR FUNDING  
AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS  
THERE TO WITH THE CALIFORNIA DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT.

BE IT RESOLVED by the City Council of the City of Brawley as follows:

**SECTION 1:** The City Council has reviewed and hereby approves an application for up to \$4,000,000 for the following activities:

General Administration	\$	150,000.00
Homeownership Assistance	\$	300,000.00
Housing Rehabilitation	\$	700,000.00
Planning and Technical Assistance (PTA)	\$	50,000.00
Public Improvement	\$	800,000.00
Colonia General Administration	\$	150,000.00
Colonia Activity	\$	1,850,000.00

**SECTION 2:** The City has determined that federal Citizen Participation requirements were met during the development of this application.

**SECTION 3:** The City hereby approves the guidelines for the Homeownership Assistance and Housing Rehabilitation.

**SECTION 4:** The City hereby approves the commitment of General Funds in the amount of \$2,500.00 to meet the 5% Cash Match requirement for the PTA activity.

**SECTION 5:** The City hereby authorizes and directs the City Manager to sign this application and act on the City's behalf in all matter pertaining to this application.

**SECTION 6:** If the application is approved, the City Manager is authorized to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of this grant.

**SECTION 7:** If the application is approved, the City Manager and/or Finance Director are authorized to sign Funds Requests and other required reporting forms.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Brawley held on March 20th, 2012.

CITY OF BRAWLEY, CALIFORNIA

\_\_\_\_\_  
George A. Nava, Mayor

**ATTEST:**

\_\_\_\_\_  
**Alma Benavides**, City Clerk

**STATE OF CALIFORNIA  
COUNTY OF IMPERIAL  
CITY OF BRAWLEY**

**I, ALMA BENAVIDES**, City Clerk of the City of Brawley; California, **DO HEREBY CERTIFY** that the foregoing Resolution No. 2012- was passed and adopted by the City Council of the City of Brawley, California, at a regular meeting held on the 20th day of March, 2012, and that it was so adopted by the following roll call vote:

**AYES:  
NAYES:  
ABSTAIN:  
ABSENT:**

**DATED:** March 20, 2012

\_\_\_\_\_  
**Alma Benavides**, City Clerk

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: March 20, 2012  
City Manager: 

**FROM:** Prepared by: Gordon R. Gaste, Planning Director  
Presented by: Gordon R. Gaste, Planning Director and Yazmin Arellano, Public Works Director

**SUBJECT:** Amendment to the City of Brawley Truck Parking Ordinance

**TRAFFIC SAFETY COMMITTEE RECOMMENDATION:** Revise Section 17.92(i) of the Motor Vehicles and Traffic Ordinance of the City of Brawley.

**DISCUSSION:** Truck Parking areas and Truck Routes are established by City Municipal Ordinances. On November 8, 2011, the City Council amended the new parking areas.

On February 2, 2012, the Development Review Committee met to review the ordinance and make recommendations for any possible changes. The Committee determined that Section 17.95-2(i) regarding streets which allow truck tractor and trailer parking be amended to remove the area on the west side of South 9th Street between Main Street and G Street since this area, although zoned M-1 (Light Manufacturing), is an office use. The Committee found this area is not suitable for truck trailer parking.

On March 7, 2012, the Planning Commission voted to recommend that the City Council amend the ordinance as proposed.

Should the City Council wish to provide additional input, other changes to the ordinance may be incorporated at this juncture.

**FISCAL IMPACT:** None.

**ATTACHMENTS:** Amended Truck Route Map and Amended Parking Ordinance.

ORDINANCE NO. 2012-

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA,  
AMENDING CHAPTER 17 OF THE BRAWLEY MUNICIPAL CODE RELATING TO  
TRUCK PARKING.

THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA, DOES HEREBY ORDAIN  
AS FOLLOWS:

**SECTION 1:** Section 17.95-2(i) of the Brawley Municipal Code is hereby  
amended to read as follows:

- (i) In addition to parking of truck tractors pursuant to permit as  
provided herein, truck tractors and trailers may be parked with a  
parking permit for a continuous period not to exceed forty-eight  
(48) hours on streets designated as follows:
- a) The east side of South 8<sup>th</sup> Street from G Street to K Street.
  - b) The west side of South 8<sup>th</sup> Street from G Street to I Street.
  - c) The west side of North 9<sup>th</sup> Street from D Street to Main Street.
  - d) The west side of South 9<sup>th</sup> Street from G Street to K Street.
  - e) The north side of River Drive from North Cesar Chavez Street to North  
Palm Avenue.
  - f) The east side of South Palm Avenue from Main Street to H Street.
  - g) The south side of E Street from North Palm Avenue to North Eastern  
Avenue.
  - h) The west side of N. Eastern Avenue from D Street to Main Street.
  - i) The south side of Malan Street from S. Imperial Avenue to Vine Avenue.
  - j) The south side of Malan Street from S. Cesar Chavez Street to S.  
Eastern Avenue.

Nothing in this section shall be construed to allow the parking of a  
trailer loaded with combustible or hazardous material within fifty (50)  
feet of a residential use.

**SECTION 2:** This ordinance shall be effective thirty (30) days after  
its adoption and the City Clerk shall cause a certified copy of this  
ordinance to be published one time within fifteen (15) days after its  
adoption in the Imperial Valley Press, a newspaper of general circulation  
printed in Imperial County and circulated in the City of Brawley.

**APPROVED PASSED AND ADOPTED,** at the regular meeting of the Brawley City  
Council of the City of Brawley, held on the 3rd day of March, 2012.

CITY OF BRAWLEY, CALIFORNIA

\_\_\_\_\_  
George A. Nava, Mayor

ATTEST:

\_\_\_\_\_  
Alma Benavides, City Clerk

STATE OF CALIFORNIA)  
COUNTY OF IMPERIAL)  
CITY OF BRAWLEY)

*1<sup>st</sup> Reading*

I, **Alma Benavides**, City Clerk of the City of Brawley, California, **DO HEREBY CERTIFY** that the foregoing Ordinance No. 2012- was passed and adopted by the City Council of the City of Brawley, California, at a regular meeting held on the 20th day of March, 2012 and that it was so adopted by the following roll call vote: m/s/c/

**AYES:**  
**NAYES:**  
**ABSTAIN:**  
**ABSENT:**

**DATED:** March 20, 2012

\_\_\_\_\_  
**Alma Benavides**, City Clerk

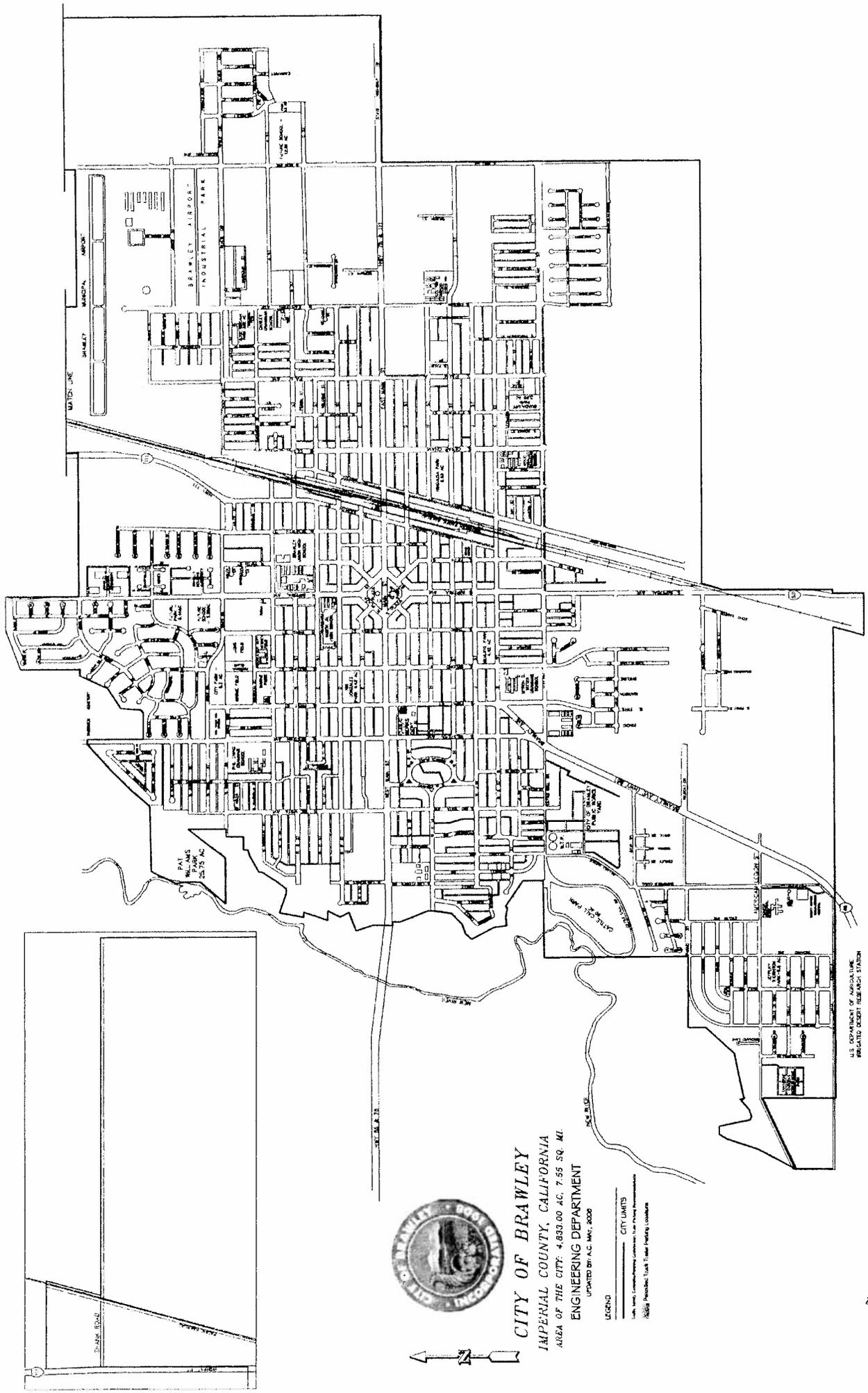
*2<sup>nd</sup> Reading & Adoption*

I, **Alma Benavides**, City Clerk of the City of Brawley, California, **DO HEREBY CERTIFY** that the foregoing Ordinance No. 2012- was passed and adopted by the City Council of the City of Brawley, California, at a regular meeting held on the 3rd day of April, 2012 and that it was so adopted by the following roll call vote: m/s/c/

**AYES:**  
**NAYES:**  
**ABSTAIN:**  
**ABSENT:**

**DATED:** April 3, 2012

\_\_\_\_\_  
**Alma Benavides**, City Clerk



**CITY OF BRAWLEY**  
 IMPERIAL COUNTY, CALIFORNIA  
 AREA OF THE CITY: 4,893.00 AC. 7.55 SQ. MI.  
 ENGINEERING DEPARTMENT  
 UPDATED BY A.C. MINTY, 2008

**LEGEND**  
 CITY LIMITS  
 U.S. DEPT. OF AGRICULTURE  
 IRRIGATION DISTRICT RESEARCH STATION

U.S. DEPARTMENT OF AGRICULTURE  
 IRRIGATION DISTRICT RESEARCH STATION

**CITY COUNCIL STAFF REPORT**  
City of Brawley

Meeting Date: March 20, 2012

City Manager: RBM

**FROM:** Prepared by: Rosanna Bayon Moore, City Manager  
Presented by: Rosanna Bayon Moore, City Manager

**SUBJECT:** Confirmation of the Mayor's Appointments to the Oversight Board for the Brawley Community Redevelopment Agency Successor Agency

**CITY MANAGER'S RECOMMENDATION:** That the City Council adopts a Resolution confirming the Mayor's appointments to the Oversight Board for the Brawley Community Redevelopment Agency Successor Agency.

**DISCUSSION:** As a result of Assembly Bill X1 26 (Blumenfield)("AB 26"), which was signed by the Governor on June 28, 2011 and confirmed by the Supreme Court on December 29, 2011 (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)), all California redevelopment agencies were dissolved as of February 1, 2012 and successor entities became responsible for winding down the affairs of the former redevelopment agencies. Consistent with the provisions of AB 26, on January 17, 2012, the City Council adopted Resolution No. 2012- confirming the City Council's election to serve in the capacity as the Brawley Community Redevelopment Agency Successor Agency (the "Successor Agency").

The Successor Agency is now responsible for winding down the affairs of the former Brawley Community Redevelopment Agency consistent with the applicable provisions of the California Health and Safety Code. Pursuant to § 34179 (a) of the California Health and Safety Code, each successor agency shall have an oversight board composed of seven members (the "Oversight Board). An excerpt from that portion of AB 26 describing the membership and duties of the Oversight Board (specifically, §§ 34179 through 34181 of the California Health and Safety Code), is included as Exhibit "A" to the attached Resolution.

Pursuant to § 34179 (a) (2) and (7) of the California Health and Safety Code, the Mayor shall appoint two members to the Oversight Board; one representing the City of Brawley and one representing the employees of the former Brawley Community Redevelopment Agency. The balance of the membership of the Oversight Board shall include the County of Imperial (2), Imperial County Office of Education (1), Chancellor of the California Community Colleges (1) and Pioneers Memorial Healthcare District (1). The organizations representing the balance of the membership of the Oversight Board have been invited to appoint their representatives as soon as possible.

By way of further background, the second sentence of § 34179 (i) of the California Health and Safety Code reads as follows: “Notwithstanding § 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district”. Consistent with AB 26, as more particularly described in the preceding sentence, the Mayor has announced the appointment of the Mayor of the City of Brawley and the City Manager of the City of Brawley to serve on the Oversight Board representing the City and the employees of the former Brawley Community Redevelopment Agency, respectively. It is recommended that the City Council confirm the Mayor’s appointments to the Oversight Board by adopting the attached Resolution.

**FISCAL IMPACT:** The recommended action is a procedural step which does not, in itself, cause any new financial obligations.

**ALTERNATIVES:**

- Do not approve the Resolution.
- Provide staff with alternate direction.

**PUBLIC NOTICE REQUIREMENTS:** The proposed action is a business item that does not require a public hearing. All public noticing requirements prescribed by applicable law have been made with respect to this matter.

**Attachment:** Resolution No. 2012-

**RESOLUTION NO. 2012-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY CONFIRMING THE MAYOR'S APPOINTMENTS TO THE OVERSIGHT BOARD FOR THE BRAWLEY COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**WHEREAS,** as a result of Assembly Bill X1 26 (Blumenfield)("AB 26"), which was signed by the Governor on June 28, 2011 and confirmed by the Supreme Court on December 29, 2011 (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)), all California redevelopment agencies were dissolved as of February 1, 2012 and successor entities became responsible for winding down the affairs of the former redevelopment agencies; and

**WHEREAS,** consistent with the provisions of AB 26, on January 17, 2012, the City Council adopted Resolution No. 2012-~~10~~ confirming the City Council's election to serve in the capacity of the Brawley Community Redevelopment Agency Successor Agency (the "Successor Agency"); and

**WHEREAS,** the Successor Agency is now responsible for winding down the affairs of the former Brawley Community Redevelopment Agency consistent with the applicable provisions of the California Health and Safety Code; and

**WHEREAS,** pursuant to Section 34179 (a) of the California Health and Safety Code, each successor agency shall have an oversight board composed of seven members (the "Oversight Board"); and

**WHEREAS,** an excerpt from that portion of AB 26 describing the membership and duties of the Oversight Board (specifically, Sections 34179 through 34181 of the California Health and Safety Code), is attached to this Resolution as Exhibit "A" and made a part hereof by this reference; and

**WHEREAS,** pursuant to Section 34179 (a) (2) and (7) of the California Health and Safety Code, the Mayor shall appoint two members to the Oversight Board; one representing the City of Brawley and one representing the the employees of the former Brawley Community Redevelopment Agency; and

**WHEREAS,** the balance of the membership of the Oversight Board shall include the County of Imperial (2), Imperial County Office of Education (1), Chancellor of the California Community Colleges (1) and Pioneers Memorial Healthcare District (1); and

**WHEREAS,** the organizations representing the balance of the membership of the Oversight Board have been invited to appoint their representatives before the end of March 2012; and

**WHEREAS,** the second sentence of Section 34179 (i) of the California Health and Safety Code reads as follows: "Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district"; and

**WHEREAS,** consistent with AB 26, as more particularly described in the foregoing recital, the Mayor has announced the appointment of the Mayor of the City of Brawley and the City Manager of the City of Brawley to serve on the Oversight Board representing the City and the employees of the former Brawley Community Redevelopment Agency, respectively; and

**WHEREAS,** the City Council desires to confirm the Mayor's appointments to the Oversight Board; and

**WHEREAS,** this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 15378, because this Resolution is an organizational or administrative activity that will not result

in a direct or indirect physical change in the environment, per § 15378(b)(5) of the Guidelines; and

**WHEREAS,** all of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Brawley, as follows:

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The Mayor's appointments of the Mayor of the City of Brawley and the City Manager of the City of Brawley to serve on the Oversight Board representing the City and the employees of the former Brawley Community Redevelopment Agency, respectively, is herewith confirmed.

**Section 3.** The City Manager is authorized and directed to take any action and execute any documents necessary to carry out the purposes of this Resolution.

**Section 4.** This Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378(b)(5) of the Guidelines.

**Section 5.** This Resolution shall take effect upon the date of its adoption.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> day of March 2012.

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George A. Nava, Mayor  
City of Brawley

APPROVED AS TO FORM

ATTEST

---

Dennis Morita, City Attorney

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Alma Benavides, City Clerk

**CERTIFICATION:**

I, Alma Benavides, City Clerk of the City of Brawley, do hereby certify that the foregoing Resolution No. 2012- was duly adopted by the City Council of the City of Brawley at a regular meeting thereof held on the 20<sup>th</sup> day of March 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Alma Benavides, City Clerk

**EXHIBIT "A"**

**CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 34179-34181**

**34179.** (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

- (1) One member appointed by the county board of supervisors.
- (2) One member appointed by the mayor for the city that formed the redevelopment agency.
- (3) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.
- (4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.
- (5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.
- (6) One member of the public appointed by the county board of supervisors.
- (7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time.
- (8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.
- (9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.
- (10) Where a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, where such appointment is subject to confirmation by the county

board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city where such an appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(b) The Governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as oversight board members.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) The Department of Finance may review an oversight board action taken pursuant to the act adding this part. As such, all oversight board actions shall not be effective for three business days, pending a request for review by the department. Each oversight board shall designate an official to whom the department may make such requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. In the event that the department requests a review of a given oversight board action, it shall have 10 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and such oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit

the modified action for department approval and the modified oversight board action shall not become effective until approved by the department.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Commencing on and after July 1, 2016, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

(3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.

(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The Governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2016, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2016, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (b).

(m) Any oversight board for a given successor agency shall cease to exist when all of the indebtedness of the dissolved redevelopment agency has been repaid.

**34180.** All of the following successor agency actions shall first be approved by the oversight board:

(a) The establishment of new repayment terms for outstanding loans where the terms have not been specified prior to the date of this part.

(b) Refunding of outstanding bonds or other debt of the former redevelopment agency by successor agencies in order to provide for savings or to finance debt service spikes; provided, however, that no additional debt is created and debt service is not accelerated.

(c) Setting aside of amounts in reserves as required by indentures, trust indentures, or similar documents governing the issuance of outstanding redevelopment agency bonds.

(d) Merging of project areas.

(e) Continuing the acceptance of federal or state grants, or other forms of financial assistance from either public or private sources, where assistance is conditioned upon the provision of matching funds, by the successor entity as successor to the former redevelopment agency, in an amount greater than 5 percent.

(f) (1) If a city, county, or city and county wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.

(2) If no other agreement is reached on valuation of the retained assets, the value will be the fair market value as of the 2011 property tax lien date as determined by the county assessor.

(g) Establishment of the Recognized Obligation Payment Schedule.

(h) A request by the successor agency to enter into an agreement with the city, county, or city and county that formed the redevelopment agency that it is succeeding.

(i) A request by a successor agency or taxing entity to pledge, or to enter into an agreement for the pledge of, property tax revenues pursuant to subdivision (b) of Section 34178.

**34181.** The oversight board shall direct the successor agency to do all of the following:

(a) Dispose of all assets and properties of the former redevelopment agency that were funded by tax increment revenues of the dissolved redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were

constructed and used for a governmental purpose, such as roads, school buildings, parks, and fire stations, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset. Any compensation to be provided to the successor agency for the transfer of the asset shall be governed by the agreements relating to the construction or use of that asset. Disposal shall be done expeditiously and in a manner aimed at maximizing value.

(b) Cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations.

(c) Transfer housing responsibilities and all rights, powers, duties, and obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity pursuant to Section 34176.

(d) Terminate any agreement, between the dissolved redevelopment agency and any public entity located in the same county, obligating the redevelopment agency to provide funding for any debt service obligations of the public entity or for the construction, or operation of facilities owned or operated by such public entity, in any instance where the oversight board has found that early termination would be in the best interests of the taxing entities.

(e) Determine whether any contracts, agreements, or other arrangements between the dissolved redevelopment agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the oversight board for its approval. The board may approve any amendments to or early termination of such agreements where it finds that amendments or early termination would be in the best interests of the taxing entities.

**CITY COUNCIL STAFF REPORT**  
City of Brawley

Meeting Date: March 20, 2012

City Manager: RAM

**FROM:** Prepared by: Yazmin Arellano, Public Works Director  
Presented by: Ruben Mireles, Operations Division Manager

**SUBJECT:** City of Brawley Water/Wastewater Capacity Fees Adopted Schedule

**2011 CITY COUNCIL AND PLANNING COMMISSION RECOMMENDATION:**

Approve Impact Fee increases at rate of 33% immediately, 66% in (2) two years and 100% in (4) four years. Approve Capacity fee increases 40% immediately, 55% in (1) one year, 70% in (2) two years, 85% in (3) three years and 100% in (4) four years.

**DISCUSSION:** On February 22, 2011, the City Council adopted Resolution No. 2011-07 establishing Water and Wastewater Capacity Fees and their implementation schedule as follows:

Year (Effective April 25)	% Increase	Water Capacity Fee (3/4" Residential Service)	Wastewater Capacity Fee (3/4" Residential Service)
2011	40%	3,014.80	2,445.60
2012	15%	1,130.55	917.10
2013	15%	1,130.55	917.10
2014	15%	1,130.55	917.10
2015	15%	1,130.55	917.10
Total	100%	\$7,537.00	\$6,114.00

The City hired consultants during fiscal year 2010/2011 to perform the necessary studies to establish the nexus and determine the fees that the City would need to charge new development in order to provide capacity for new growth without further burdening existing businesses, developers, and residents.

The City of Brawley had not raised development impact fees and water/wastewater capacity fees in many years and in some cases had reduced or eliminated some development fees altogether. The City had substantially lower fees than any surrounding community not only in Imperial County but within most of southern California.

The City of Brawley's 10 year Capital Improvement Program (CIP) serves as a key document for the determination of development impact fees and water/wastewater

capacity fees. It assists in identifying existing deficiencies that the City needs to correct within existing funding sources. It identifies and plans for those projects, services, and equipment that are necessary to provide new capacity required due to new growth. This cost should be borne by new development either through development impact fees, capacity fees, direct construction or payment in lieu of construction by the developer, or a combination of all.

**FISCAL IMPACT:** None at this time.

**ATTACHMENTS:** Resolution 2011-07

**EXHIBIT A**  
**WATER CAPACITY FEE IMPLEMENTATION SCHEDULE**

Effective: 4/25/2011

Meter Size	Charge Per Unit	Year 1
5/8 - 3/4 inch (residential)	per water meter	\$3,014.80
3/4 inch	per water meter	\$4,522.40
1 inch	per water meter	\$7,537.20
1-1/2 inch	per water meter	\$15,074.00
2 inch	per water meter	\$24,118.40
over 2 inch	per gallon of average day demand	\$3.58

Effective: 4/25/2012

Meter Size	Charge Per Unit	Year 2
5/8 - 3/4 inch (residential)	per water meter	\$4,145.35
3/4 inch	per water meter	\$6,218.30
1 inch	per water meter	\$10,363.65
1-1/2 inch	per water meter	\$20,726.75
2 inch	per water meter	\$33,162.80
over 2 inch	per gallon of average day demand	\$4.92

Effective: 4/25/2013

Meter Size	Charge Per Unit	Year 3
5/8 - 3/4 inch (residential)	per water meter	\$5,275.90
3/4 inch	per water meter	\$7,914.20
1 inch	per water meter	\$13,190.10
1-1/2 inch	per water meter	\$26,379.50
2 inch	per water meter	\$42,207.20
over 2 inch	per gallon of average day demand	\$6.27

Effective: 4/25/2014

Meter Size	Charge Per Unit	Year 4
5/8 - 3/4 inch (residential)	per water meter	\$6,406.45
3/4 inch	per water meter	\$9,610.10
1 inch	per water meter	\$16,016.55
1-1/2 inch	per water meter	\$32,032.25
2 inch	per water meter	\$51,251.60
over 2 inch	per gallon of average day demand	\$7.61

Effective: 4/25/2015

Meter Size	Charge Per Unit	Year 5
5/8 - 3/4 inch (residential)	per water meter	\$7,537.00
3/4 inch	per water meter	\$11,306.00
1 inch	per water meter	\$18,843.00
1-1/2 inch	per water meter	\$37,685.00
2 inch	per water meter	\$60,296.00
over 2 inch	per gallon of average day demand	\$8.95

## EXHIBIT A-1

### WASTEWATER CAPACITY FEE IMPLEMENTATION SCHEDULE

Effective: 4/25/2011

Meter Size	Charge Per Unit	Year 1
5/8 - 3/4 inch (residential)	per water meter	\$2,445.60
3/4 inch	per water meter	\$3,686.40
1 inch	per water meter	\$6,144.00
1-1/2 inch	per water meter	\$12,288.00
2 inch	per water meter	\$19,660.80
over 2 inch	per gallon of average day demand	\$8.75

Effective: 4/25/2012

Meter Size	Charge Per Unit	Year 2
5/8 - 3/4 inch (residential)	per water meter	\$3,362.70
3/4 inch	per water meter	\$5,068.80
1 inch	per water meter	\$8,448.00
1-1/2 inch	per water meter	\$16,896.00
2 inch	per water meter	\$27,033.60
over 2 inch	per gallon of average day demand	\$12.03

Effective: 4/25/2013

Meter Size	Charge Per Unit	Year 3
5/8 - 3/4 inch (residential)	per water meter	\$4,279.80
3/4 inch	per water meter	\$6,451.20
1 inch	per water meter	\$10,752.00
1-1/2 inch	per water meter	\$21,504.00
2 inch	per water meter	\$34,406.40
over 2 inch	per gallon of average day demand	\$15.32

Effective: 4/25/2014

Meter Size	Charge Per Unit	Year 4
5/8 - 3/4 inch (residential)	per water meter	\$5,196.90
3/4 inch	per water meter	\$7,833.60
1 inch	per water meter	\$13,056.00
1-1/2 inch	per water meter	\$26,112.00
2 inch	per water meter	\$41,779.20
over 2 inch	per gallon of average day demand	\$18.60

Effective: 4/25/2015

Meter Size	Charge Per Unit	Year 5
5/8 - 3/4 inch (residential)	per water meter	\$6,114.00
3/4 inch	per water meter	\$9,216.00
1 inch	per water meter	\$15,360.00
1-1/2 inch	per water meter	\$30,720.00
2 inch	per water meter	\$49,152.00
over 2 inch	per gallon of average day demand	\$21.88

**RESOLUTION NO. 2011-07**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA  
REPEALING RESOLUTIONS 95-17, 99-60 AND 2000-45 AND ESTABLISHING  
WATER AND WASTEWATER CAPACITY FEES.**

**WHEREAS**, Brawley Municipal Code Section 10B.2 provides that development impact fees may be established by resolution of the City Council; and

**WHEREAS**, the City Council adopted Resolution No. 95-17 establishing development impact fees; and

**WHEREAS**, the City Council later adopted Resolution 99-60 and Resolution 2000-45 which reduced the level of fees for a specified period of time; and

**WHEREAS**, development projects in the City, including new construction, additions and rebuilds place new demands on the City's infrastructure and the ability to provide vital municipal services; and

**WHEREAS**, Section 66000 et seq. Of the California Government Code authorizes the City to levy fees upon specified development projects to defray all or a portion of the costs of public improvements, public services and community amenities related to development projects; and

**WHEREAS**, The City currently imposes certain development impact fees, but the currently enacted fees are not sufficient to defray all of the City's costs for public improvements, public services and community amenities associated with new development; and

**WHEREAS**, the City has engaged Bartle Wells Associates to prepare a study, entitled "Water & Wastewater Capacity Fee Study" (the "Study"), setting forth public improvements, public services and community amenities necessitated by new development and describing the costs for water and wastewater associated therewith (the "Program"); and

**WHEREAS**, the Study, which is on file in the Office of the City Clerk, is incorporated herein by this reference; and

**WHEREAS**, the Study identifies capital improvement projects, public services and community amenities which will be addressed by the fees; and

**WHEREAS**, the City desires to replace its existing fee structure applied to development projects with new fees which better reflect the actual cost of responding to new development; and

**WHEREAS**, the new fees, their methodologies, and the calculations supporting the methodologies are set forth in the Study; and

**WHEREAS**, the Study substantiates a methodology for the new water and wastewater capacity fees that will charge each development project only for the portion of the costs of the Program necessary to mitigate the impacts on public improvements, public services and community amenities expected to be caused by that development project; and

**WHEREAS**, the Study identifies that portion of the Program not necessitated by new development, and the new fees will not fund such portion of the Program; and

**WHEREAS**, the Study demonstrates there is a reasonable relationship between the need for the Program (and each element of the Program) and the development projects upon which the fees will be imposed because such development projects cause the need for the improvements, services and amenities that comprise the Program; and

**WHEREAS**, the Study demonstrates there is a reasonable relationship between the proposed uses for the new fees and the development projects on which the fees will be imposed because the fees will only fund the portions of Program costs needed to serve demands created by new development; and

**WHEREAS**, the fees do not exceed the estimated reasonable costs of providing the improvements, services and amenities for which the fees are imposed; and

**WHEREAS**, the fees are not levied, collected or imposed for general revenue purposes; and

**WHEREAS**, the City Council held a duly advertised public hearing to consider adoption of the new fees pursuant to Government Code Sections 66000 et seq.; and

**WHEREAS**, the City Council has read and considered the Bartle Wells Associates Water and Wastewater Capacity Fees study; and

**WHEREAS**, the City Council considered oral testimony and documentary evidence submitted at the Public Hearing.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The above referenced recitals are true and correct and are incorporated herein by this reference.
2. The Study and the fees set forth in the Study are hereby approved and adopted. Implementation of the fees shall be in accordance with the schedule attached hereto as Exhibit A. The effective date of the fees shall be sixty (60) days from the date of this Resolution.
3. Resolution Nos. 95-17, 99-60 and 2000-45 are hereby repealed.

**APPROVED, PASSED AND ADOPTED** at an adjourned meeting of the Brawley City Council held on the 22<sup>nd</sup> day of February, 2011.

**CITY OF BRAWLEY, CALIFORNIA**

\_\_\_\_\_  
*Don Campbell*, Mayor

**ATTEST:**

\_\_\_\_\_  
*Alma Benavides*, City Clerk

**STATE OF CALIFORNIA  
COUNTY OF IMPERIAL  
CITY OF BRAWLEY**

I, **ALMA BENAVIDES**, City Clerk of the City of Brawley; California, **DO HEREBY CERTIFY** that the foregoing Resolution No. 2011-07 was passed and adopted by the City Council of the City of Brawley, California, at a adjourned meeting held on the 22nd day of February, 2011, and that it was so adopted by the following roll call vote: m/s/c Nava/Miranda 3-2

**AYES:** Campbell, Miranda, Nava  
**NAYES:** Couchman, Kelley  
**ABSTAIN:** None  
**ABSENT:** None

**DATED:** February 22, 2011

\_\_\_\_\_  
*Alma Benavides*, City Clerk