



**Brawley City Council Agenda
Regular Meeting
Tuesday, May 15, 2012 @ 6:00 PM**

**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 Mike Neciuk, El Redentor 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.***

- a. American Public Works Associates (APWA) Award Presentation-Augie Chang, Senior Project Manager

2. PROCLAMATIONS/PRESENTATIONS

- a. Proclamation Celebrating Public Works Week **Pp 4**
- b. Proclamation Better Hearing & Speech Month **Pp 5**

3. DEPARTMENTAL REPORTS

- a. Fire Station No. 2 Update – Chuck Peraza, Interim Fire Chief
- b. Airport Update – Yazmin Arellano, Public Works Director

4. 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 Accounts Payable for: April 26, 2012 **Pp 6-8**
- b. Approve Annual General Plan Annual Progress Report for year 2011. **Pp 9-35**
- c. Award Bid to Hazard Construction Company for Project No. 2012-06, Grapefruit Drive Rehabilitation Project, in amount of \$89,451.90. **Pp 36-37**
- d. Adopt Resolution No. 2012- : Resolution of the City Council of the City of Brawley, California rescinding Resolution No. 2012-11 and approving the application for Bicycle and/or Pedestrian Funds under the Transportation Development Act and Approving the Adoption of its Bicycle and/or Pedestrian Plan. **Pp 38-39**
- e. Accept Grant of Easement for Public Purposes on South 9th Street. **Pp 40-49**
- f. Approve Change Order No. 1, So. 9th Street Paving Project, Specification 2011-07, in the amount of \$8,165 to Hazard Construction. **Pp 50-52**

5. REGULAR BUSINESS

- a. Discussion/action regarding Potential Water Connection to 428 West Cady Road, outside of Brawley City Limits. **Pp 53-54**

- b. Discussion/Action regarding 1st Reading of Ordinance No. 2012- : Ordinance of the City Council of the City of Brawley, California to allow use and sale of Safe & Sane Fireworks. **Pp 55-71**
- c. Discussion/Action regarding 2012/2013 General Fund Budget.
- d. Discussion/Action regarding 2012/2013 Budget for Enterprise Funds Budget.

6. INFORMATION ITEMS

- a. Summary of City of Brawley Building Permits Issued for April 2012, Prepared by Francisco Soto, Building Official **Pp72-73**

7. COUNCIL MEMBER REPORTS

8. CITY MANAGER REPORT

9. CLOSED SESSION

- a. Conference with Labor Negotiator
Agency designated representative: Rosanna Bayon Moore, City Manager
Employee organizations:
 - (a) Brawley Public Safety Employees Association
 - (b) Brawley Police Sergeants Association
 - (c) Brawley Firefighters Local No. 1967
 - (d) Teamsters Local 542
 - (e) Management, Confidential & Unrepresented Employees
- b. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)):
 - 1. City of Brawley vs. La Paloma
 - 2. City of Brawley vs. Springhouse et al.
 - 3. City of Brawley vs. Luckey Ranch et al.
 - 4. Jupiter Ventures vs. City of Brawley

ADJOURNMENT Adjourn to _____, **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



Proclamation

Whereas, Public Works services provided in our community are an integral part of our citizen's everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff the Brawley Public Works Department is materially influenced by the people's attitude and understanding of the importance of the work they perform.

Now therefore, I George A. Nava, Mayor of the City of Brawley, do hereby proclaim the week of May 20-26, 2012 as National Public Works Week.

In witness hereof, I have hereunto set my hand and caused the Seal of the City of Brawley to be fixed on this 15th day of May, 2012.

ATTEST:

CITY OF BRAWLEY, CALIFORNIA

Alma Benavides, City Clerk

George A. Nava, Mayor



**Proclamation
Better Hearing & Speech Month**

WHEREAS, Hearing loss is one of the nation's leading handicapping disabilities, affecting an estimated 35 million Americans of 11.3% of U.S. Population;

WHEREAS, Hearing impairments can adversely affect an individual's ability to function effectively on the job, in school and social situations; and

WHEREAS, Hearing impairment strikes persons of all ages and all economic situations; and

WHEREAS, many hearing impairments could be avoided by following simple hearing conversation measures; and

WHEREAS, following such hearing conservation measures is in the best interests of the health, safety, and welfare of the general public; and

WHEREAS, Speech impairments affect an estimated 35 million Americans.

NOW, THEREFORE, I, George A. Nava, Mayor of the City of Brawley, California do proclaim the month of May 2012 to be observed as **Better Hearing & Speech Month** in the City of Brawley.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Brawley to be fixed on this 15th day of May, 2012.

CITY OF BRAWLEY, CALIFORNIA

George A. Nava, Mayor

ATTEST:

Alma Benavides, City Clerk

Check Register Report

Date: 04/26/2012

Time: 3:38 PM

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City of Brawley

| Check Number | Check Date | Status | Vendor Number | Vendor Name | Check Description | Amount |
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| 18483 | 04/26/2012 | Printed | A242 | A T & T | Telephone Services | 37.42 |
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| 18485 | 04/26/2012 | Void | | | Void Check | 0.00 |
| 18486 | 04/26/2012 | Printed | A126 | ALSCO AMERICAN LINEN DIV. | Uniform Cleaning Services | 422.33 |
| 18487 | 04/26/2012 | Printed | A868 | ALTISOURCE SOLUTIONS, INC | Refund Dep/OvPmt 367 Willard | 500.66 |
| 18488 | 04/26/2012 | Printed | A656 | MANUEL ARAIZA | Refund Deposit 880 Panno Road | 71.54 |
| 18489 | 04/26/2012 | Printed | A134 | ARAMARK UNIFORM SERVICES, | Cleaning Services | 33.84 |
| 18490 | 04/26/2012 | Printed | A232 | ARC INDUSTRIES | Park Litter Control March | 2,756.00 |
| 18491 | 04/26/2012 | Printed | A001 | YAZMIN ARELLANO | Reimb Travel La Paloma Depo | 38.25 |
| 18492 | 04/26/2012 | Printed | A461 | AT&T-CALNET 2 | Telephone Services 3/12-4/11 | 109.25 |
| 18493 | 04/26/2012 | Printed | A784 | AT&T | Teen Center Phone Service | 81.97 |
| 18494 | 04/26/2012 | Printed | A415 | AUDIOGO | Audio Books | 163.94 |
| 18495 | 04/26/2012 | Printed | A592 | AUTO ZONE, INC. #2804 | Antifreeze #74 Streets | 131.96 |
| 18496 | 04/26/2012 | Printed | B190 | BRAWLEY PRINTING | Counter Receipts | 476.32 |
| 18497 | 04/26/2012 | Printed | B269 | BRAWLEY TRACTOR PARTS | Filters #91 Parks | 47.62 |
| 18498 | 04/26/2012 | Printed | B747 | BRENNTAG PACIFIC INC. | Drum Return | 2,330.89 |
| 18499 | 04/26/2012 | Printed | C312 | CA PUBLIC EMP. RETIREMENT | May 2012 Health Insurance | 79,725.89 |
| 18500 | 04/26/2012 | Printed | C599 | CASITAS DE RUELAS | Refund Deposit 265 B Street | 108.62 |
| 18501 | 04/26/2012 | Printed | C189 | MARSHALL CAVENDISH CORP. | Cultures Of The World Book | 207.73 |
| 18502 | 04/26/2012 | Printed | C862 | CDPH-OCF | Grade 1 WT Op Cert Fee | 140.00 |
| 18503 | 04/26/2012 | Printed | C926 | CENTURY MFG CORP | Weed Destroyer | 366.53 |
| 18504 | 04/26/2012 | Printed | C423 | CONSOLIDATED ELECTRICAL DIST I | Lamps | 581.85 |
| 18505 | 04/26/2012 | Printed | C290 | MC KADE COOK | Refund Over/Pynt 313 W K St | 33.60 |
| 18506 | 04/26/2012 | Printed | D171 | D & M WATER COMPANY | Bulk Water | 52.41 |
| 18507 | 04/26/2012 | Printed | D478 | DEPARTMENT OF JUSTICE | Fingerprint Applications | 192.00 |
| 18508 | 04/26/2012 | Printed | D381 | THE DESIGN SHOP AT DEBBIE'S | Plaque | 37.71 |
| 18509 | 04/26/2012 | Printed | D989 | DIGITAL | Toner Freight | 19.90 |
| 18510 | 04/26/2012 | Printed | D816 | DYNAMIC CONSULTING ENGINEER | Right Of Way Grapefruit Proj | 9,530.00 |
| 18511 | 04/26/2012 | Printed | E145 | ELMS EQUIPMENT | Fuel Cap, Gasket, Fuel Gauge | 381.16 |
| 18512 | 04/26/2012 | Printed | E306 | ETS CORPORATION | Ethernet Terminal, S & H | 299.49 |
| 18513 | 04/26/2012 | Printed | F105 | FEDERAL EXPRESS CORP. | Mailings Lee and Ro | 263.37 |
| 18514 | 04/26/2012 | Printed | F787 | FIELD ASSET SERVICES | Refund Over/Pmt 825 Hickory Ct | 96.82 |
| 18515 | 04/26/2012 | Printed | F510 | FIFTH AVENUE BOOK CENTER | Books | 93.63 |
| 18516 | 04/26/2012 | Printed | F266 | FIRE ETC., INC. | Expansion Rings, Baskets | 253.69 |
| 18517 | 04/26/2012 | Printed | F629 | FLEET SERVICES | CNG Service Charge | 42.00 |
| 18518 | 04/26/2012 | Printed | F409 | FULLCOURT PRESS | Utility Bills | 1,068.88 |
| 18519 | 04/26/2012 | Printed | G955 | GALE GROUP | Crime Scene Books | 259.31 |
| 18520 | 04/26/2012 | Printed | G008 | MARTHA T GARCIA | Reimburse Travel/Records Clerk | 119.97 |
| 18521 | 04/26/2012 | Printed | G323 | MARIBEL GARDENO | Refund Depost 695 S 3rd | 160.54 |
| 18522 | 04/26/2012 | Printed | G966 | GIBSON & SCHAEFER, INC. | Concrete | 130.12 |
| 18523 | 04/26/2012 | Printed | G617 | JORDAN GREENWOOD | Refund Deposit 615 Sunset Dr | 108.29 |
| 18524 | 04/26/2012 | Printed | H119 | HAAKER EQUIPMENT CO., INC. | Relief Valve #104 Sewer | 435.57 |
| 18525 | 04/26/2012 | Printed | H100 | GEORGE HEREDIA | Tennis Instructor Mar 16-May 4 | 420.75 |
| 18526 | 04/26/2012 | Printed | H333 | BRETT HOUSER | Travel Adv Assert Supervision | 685.50 |
| 18527 | 04/26/2012 | Printed | H191 | HOWARD ANIMAL HOSPITAL | Office Call Emergency | 207.45 |
| 18528 | 04/26/2012 | Printed | H377 | HYDRAULICS & BEARING SUPPLY | Timkin Bearings | 17.76 |
| 18529 | 04/26/2012 | Printed | I102 | I. I. D. | Canal Water/Mansfield 3056449 | 44,451.60 |
| 18530 | 04/26/2012 | Printed | I559 | IMAGE SALES, INC. | Identification Badges | 213.55 |
| 18531 | 04/26/2012 | Void | | | Void Check | 0.00 |
| 18532 | 04/26/2012 | Void | | | Void Check | 0.00 |
| 18533 | 04/26/2012 | Printed | I301 | IMPERIAL HARDWARE CO., INC. | Valve Sprinkler | 702.97 |

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City of Brawley

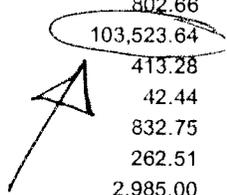
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| 18534 | 04/26/2012 | Printed | I105 | IMPERIAL IRRIGATION DIST. | Install Service 2 Transformers | 1,000.00 |
| 18535 | 04/26/2012 | Printed | I103 | IMPERIAL IRRIGATION DISTRICT | Power Bills Mar 1 To Mar 29 | 49,699.50 |
| 18536 | 04/26/2012 | Printed | I432 | IMPERIAL VALLEY COLLEGE | Work Study Student Thru 3/10 | 616.40 |
| 18537 | 04/26/2012 | Printed | I542 | INFRASTRUCTURE ENGINEERING | K St Drainage Improvement PhII | 1,567.50 |
| 18538 | 04/26/2012 | Printed | I241 | INSTITUTE FOR SOCIO ECONOMIC | Refund Dep/OvPmt 729 B St | 193.48 |
| 18539 | 04/26/2012 | Printed | I440 | INTERNATIONAL CODE COUNCIL | ICC Membership Dues 2012 | 125.00 |
| 18540 | 04/26/2012 | Printed | H375 | JOE HEGER FARMS | Refund Dep/OverPmt 234 B St | 322.63 |
| 18541 | 04/26/2012 | Printed | K186 | K-CAL PROPERTY | Refund Deposit 643 W E Street | 95.24 |
| 18542 | 04/26/2012 | Printed | K233 | CARSON KALIN | Refund Deposit 250 W A St | 99.59 |
| 18543 | 04/26/2012 | Printed | K508 | KENNEDY'S FOR TIRES, INC. | Refund Dep 1300 Main St | 211.28 |
| 18544 | 04/26/2012 | Printed | K933 | NANNETTE KNIFFIN | Refund OverPymt 643 W E Street | 105.61 |
| 18545 | 04/26/2012 | Printed | K542 | KNORR POOL SYSTEMS, INC. | Poles For Pool | 467.08 |
| 18546 | 04/26/2012 | Printed | L222 | LA FRESA | Fruit Platters | 75.00 |
| 18547 | 04/26/2012 | Printed | L912 | LANDSCAPE ROCK SUPPLY | PalomIno Gold Rock F.D. #2 | 749.60 |
| 18548 | 04/26/2012 | Printed | L678 | GABRIELA LAWSON | Refund Dep/OverPmt 1050 Panno | 84.40 |
| 18549 | 04/26/2012 | Printed | M069 | MACHWELD SHOP SERVICE | Drill And Weld Brass Bracket | 60.00 |
| 18550 | 04/26/2012 | Printed | M741 | OLGA CECILIA MARTINEZ | Refund Deposit 1060 Leonard | 69.32 |
| 18551 | 04/26/2012 | Printed | M004 | MCNEECE BROS OIL COMPANY | Fuel - #110 Streets | 19,978.22 |
| 18552 | 04/26/2012 | Printed | M011 | ROSANNA BAYON MOORE | Reimb Ace Parking | 341.00 |
| 18553 | 04/26/2012 | Printed | M333 | KARIN MORGAN | Reimb Travel Prop 84 Parks | 36.26 |
| 18554 | 04/26/2012 | Printed | N418 | NEXTEL COMMUNICATIONS, INC. | Cell Phone Charges/Council | 247.02 |
| 18555 | 04/26/2012 | Printed | N501 | NOLO PRESS OCCIDENTAL | Books | 54.28 |
| 18556 | 04/26/2012 | Printed | N045 | NORTHEND AUTOPARTS, INC. | Oil Filter #91 Parks | 107.32 |
| 18557 | 04/26/2012 | Printed | 0567 | JIM O'MALLEY PLUMBING | Repair Commode | 590.21 |
| 18558 | 04/26/2012 | Printed | O233 | O'REILLY AUTO PARTS | Hose Fittings #110 Streets | 13.99 |
| 18559 | 04/26/2012 | Printed | O755 | OCE IMAGISTICS, INC. | Copier Maintenance, Supplies | 405.12 |
| 18560 | 04/26/2012 | Printed | O880 | OFFICE DEPOT, INC. | Ink Cartridges | 1,590.26 |
| 18561 | 04/26/2012 | Printed | O125 | OFFICE SUPPLY CO. | Office Supplies | 252.94 |
| 18562 | 04/26/2012 | Printed | O113 | OK RUBBER TIRES | Tire Repair Sweeper #15 Street | 34.64 |
| 18563 | 04/26/2012 | Printed | O751 | ROBERTO OROZCO | Replaces Ck #017952 | 150.00 |
| 18564 | 04/26/2012 | Printed | P849 | SANTIAGO & PERLA PACHECO | Refund Dep 1059 Calle Cielo | 88.37 |
| 18565 | 04/26/2012 | Printed | P344 | PADRE JANITORIAL SUPPLIES, INC | Cleaning Supplies | 252.73 |
| 18566 | 04/26/2012 | Printed | B581 | PC PARTNERS, LLC | Computer Repair | 135.00 |
| 18567 | 04/26/2012 | Printed | P110 | PESTMASTER SERVICES | Pest Control Services | 70.00 |
| 18568 | 04/26/2012 | Printed | P603 | PGI | Windshield Sweeper #16 Streets | 495.00 |
| 18569 | 04/26/2012 | Printed | P370 | PIONEERS MEMORIAL HOSPITAL | Dr Fareed | 195.00 |
| 18570 | 04/26/2012 | Printed | P254 | PITNEY BOWES INC. | Ink Cartridge, Moistener | 255.13 |
| 18571 | 04/26/2012 | Printed | P294 | POSITIVE PROMOTIONS | Fire Hats | 207.95 |
| 18572 | 04/26/2012 | Printed | P209 | DAN & VALERIE PRICE | Refund Deposit 1028 Jennifer | 159.47 |
| 18573 | 04/26/2012 | Printed | P104 | PUBLIC EMPLOYEES RETIREMENT | 4/03/12-4/16/12 PERS | 90,958.83 |
| 18574 | 04/26/2012 | Printed | R651 | R.J. SAFETY SUPPLY CO., INC | Safety Glasses, Gloves Shop | 653.62 |
| 18575 | 04/26/2012 | Printed | R006 | ROSA I RAMIREZ | Reimb Travel Prop 84 Parks | 226.30 |
| 18576 | 04/26/2012 | Printed | R400 | RANDOM HOUSE, INC. | Books On CD | 172.39 |
| 18577 | 04/26/2012 | Printed | R012 | JASON RUSSELL | Refund Dep Ov/Pmt 832 W Steven | 224.27 |
| 18578 | 04/26/2012 | Printed | S815 | SAL'S TREE SERVICE | Remove Salt Cedar Tree | 500.00 |
| 18579 | 04/26/2012 | Printed | S155 | SAN DIEGO COUNTY | Fire Radio System Fees Mar | 636.00 |
| 18580 | 04/26/2012 | Printed | S430 | JOHN SANDOVAL | Refund Overpmt/1074 CDVI | 37.08 |
| 18581 | 04/26/2012 | Printed | S445 | SCAG | 2012-2013 Membership Dues | 2,750.00 |
| 18582 | 04/26/2012 | Printed | S572 | SCHOLASTIC, INC. | Books | 15,811.27 |
| 18583 | 04/26/2012 | Printed | S574 | SHARP ELECTRONICS CORPORATI | Copier Maint. February F.D. | 135.58 |
| 18584 | 04/26/2012 | Printed | S871 | SIGMANET, INC. | Computers, Monitors | 2,166.69 |

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City of Brawley

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| 18585 | 04/26/2012 | Printed | S480 | SMYTH PLUMBING | Repair Toilet & Urinal | 146.36 |
| 18586 | 04/26/2012 | Printed | S495 | SOUTHERN CALIFORNIA GAS CO. | 093 080 7894 9 | 2,201.76 |
| 18587 | 04/26/2012 | Printed | S566 | SPARKLETTS | Water, Cooler Rentals | 582.97 |
| 18588 | 04/26/2012 | Printed | S689 | STAPLES ADVANTAGE | Labels, Envelopes, Markers | 183.50 |
| 18589 | 04/26/2012 | Printed | S750 | STAPLES, INC | Ergo Keyboard, Note Pads | 1,042.53 |
| 18590 | 04/26/2012 | Printed | S849 | STILLS ELECTRIC | Repair Tank Lights | 802.66 |
| 18591 | 04/26/2012 | Printed | T150 | THE ECLIPSE GROUP, LLP | Attorney Services La Paloma | 103,523.64 |
| 18592 | 04/26/2012 | Printed | T956 | MARIA V TORRES | Refund Deposit 1191 Main | 413.28 |
| 18593 | 04/26/2012 | Printed | T456 | TURF STAR, INC. | Ignition Switch, Key #92 Parks | 42.44 |
| 18594 | 04/26/2012 | Printed | U200 | UPSTART | Material Summer Read Program | 832.75 |
| 18595 | 04/26/2012 | Printed | U602 | USA BLUEBOOK, INC | Gloves, Buffer | 262.51 |
| 18596 | 04/26/2012 | Printed | V452 | VISION SERVICE PLAN (CA), I | May Vision Insurance | 2,985.00 |
| 18597 | 04/26/2012 | Printed | W221 | WAL-MART STORES, INC. #01-1555 | Craft Items, Water | 80.45 |
| 18598 | 04/26/2012 | Printed | W833 | WATER TECH | Sprinkler | 162.51 |
| 18599 | 04/26/2012 | Printed | W135 | WAXIE SANITARY SUPPLY | Janitorial Supplies | 1,719.10 |
| 18600 | 04/26/2012 | Printed | X100 | XEROX CORPORATION | Copier Maintenance | 849.65 |
| 18601 | 04/26/2012 | Printed | Z010 | STEPHANIE ZAMORA | Reimb Tuition/Torts, Prof Resp | 500.00 |
| 18602 | 04/26/2012 | Printed | Z901 | JESSE J. ZENDEJAS | Refund Deposit 152 West J St | 163.61 |
| 18603 | 04/26/2012 | Printed | Z125 | ZEP MANUFACTURING CO, INC. | Engine Degreaser, Towels | 378.51 |



121

Checks Total (excluding void checks):

461,107.45

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: May 15, 2012
City Manager: RBK

FROM: Prepared by: Gordon R. Gaste, AICP, Planning Director
Presented by: Gordon Gaste, AICP, Planning Director

SUBJECT: Annual General Plan Progress Report for Year 2011

CITY MANAGER RECOMMENDATION: Approve Annual General Plan Progress Report for Year 2011.

DISCUSSION: The California Office of Planning and Research (OPR) per Government Code Section 65400 mandates that the City submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies. The Annual Progress Report (APR) provides local legislative bodies with information regarding the implementation of the General Plan. The Housing Element portion also needs to be submitted to the Department of Housing and Community Development (HCD). The APR must be presented publically to the local legislative body for its review.

FISCAL IMPACT: \$3,500 for Consultant Preparation of Housing Element Portion

ATTACHMENTS: Annual General Plan Progress Report for Year 2011



CITY OF BRAWLEY

PLANNING DEPARTMENT
400 MAIN ST. - PLAZA PARK
BRAWLEY, CALIFORNIA 92227
PHONE: (760) 344-8822
FAX: (760) 344-0907

March 31, 2012

Honorable Mayor and Members of the City Council
383 Main Street
Brawley, CA 92227

Subject: Annual Planning Report and Status of the General Plan for the Year 2011

Dear Council Members:

California planning law requires that each City prepare an annual report to its legislative body on the status of the General Plan and progress in its implementation. The Planning Department herewith respectfully submits the 2011 Annual Report and the Status of the General Plan.

The purpose of the report is to ensure that the General Plan directs all land use decisions and remains an effective guide for future development. The report provides the City Council and Planning Commission with information regarding implementation of the General Plan.

The annual report also explains the status of the plan and progress in its implementation, including the progress in meeting the City's share of regional housing needs determined pursuant to Section 65584 of the Government Code and the City's efforts to remove constraints to the maintenance, improvement, and development of housing pursuant to Paragraph (3) of Subdivision (c) of Section 65583 of the Government Code.

Please call 760-344-8822 for further information or if you have any questions.

Sincerely,

Gordon R. Gaste, AICP
Planning Director

cc: Office of Planning and Research
Department of Housing and Community Development
Planning Commission
City Manager
City Clerk
Department Heads

CITY OF BRAWLEY ANNUAL PLANNING REPORT AND STATUS OF THE GENERAL PLAN 2011

Submitted To:

City of Brawley City Council
383 Main Street
Brawley, California 92227

City of Brawley Planning Commission
383 Main Street
Brawley, California 92227

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
P.O. Box 3044
Sacramento, California 95812-3044

Department of Housing and Community Development
Housing Policy Division
1800 Third Street, Room 430
Sacramento, California 95814

Prepared By:

City of Brawley Planning Department
400 Main Street
Suite 2
Brawley, California 92227

Date Submitted:

May 16, 2012

2011 Annual Planning Report and Status of the General Plan

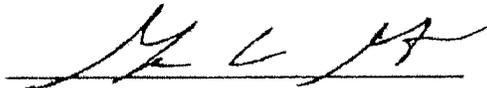
- I. Executive Summary
- II. City of Brawley Overview
- III. City Council Role and Responsibility
- IV. Planning Commission Role and Responsibility
- V. Development Review Committee
- VI. Planning Department Role and Responsibility
- VII. Land Use Permits
- VIII. General Plan Update
- IX. Housing Element Progress

I. EXECUTIVE SUMMARY

The annual planning report and status of the General Plan for the calendar year 2011 is hereby submitted to the City of Brawley City Council, Planning Commission, and State Office of Planning and Research (OPR).

During the 2011 Calendar Year, the staff, the Planning Commission, and the City Council addressed a variety of challenging and progressive land-use related projects and/or issues. Applications are consistent with last year's levels.

As Director of the Planning Department, I sincerely thank the City Council and the Planning Commission for their assistance and support in my eighth full year with the City of Brawley. A sincere thank you is also given to the staff of the Planning Department, Community Development Services, and Public Works Department for their coordination and assistance in carrying out the year's projects. A particular thank you is also given to the members of the Development Review Committee (DRC) for working with the Planning Department on all the projects listed herein.



Gordon R. Gaste, AICP
Planning Director

II. CITY OF BRAWLEY OVERVIEW

The City of Brawley, incorporated April 6, 1908, is located in the southeast corner of the state of California, in the agriculturally rich Imperial Valley.

Brawley is located 210 miles southeast of Los Angeles, 290 miles southwest of Las Vegas, Nevada, 120 miles east of San Diego, 60 miles west of Yuma, Arizona, and 23 miles north of Mexicali, Baja California, Mexico.

Brawley's climate is characterized as arid with hot summers and mild winters. The City lies 113 feet below sea level and receives approximately 3 inches of rain per year. The average annual temperature is 73.2 degrees. Brawley also has more days of sunshine per year than San Diego making the area ideal for outdoor recreation.

Brawley's 2010 California Department of Finance population figures estimate 27,743 residents. The City encompasses 7.55 square miles giving the city a population density of 3,675 persons per square mile.

III. CITY COUNCIL ROLE AND RESPONSIBILITY

The City of Brawley is a General Law City operating under the laws of the State of California. There are five (5) Council members elected at large who serve four-year terms. This Council is the community legislative body. It sets policy, approves the budget, and determines tax rates.

2011 Brawley City Council

George Nava (Mayor)
Sam Couchman (Mayor Pro-Tempore)
Don C. Campbell
Ryan E. Kelley
Miguel C. Miranda

IV. PLANNING COMMISSION ROLE AND RESPONSIBILITY

California Government Code, Section 65101, authorizes the creation of a Planning Commission by the City Council. The Planning Commission consists of seven (7) members, appointed by City Council for a term of four years.

One of the Planning Commission's primary roles is to prepare, and recommend to the City Council, a comprehensive, long-term general plan for the physical development of the City. The Planning Commission also rules on matters from individual citizens pertaining to the enforcement of zoning.

2011 Brawley Planning Commission

Tony Gallegos (Chairman)

Jay Goyal (Vice Chairman)

Eric Reyes

Eugene Bumbera

George A. Marquez

Ramon M. Sagredo

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V. DEVELOPMENT REVIEW COMMITTEE ROLE AND RESPONSIBILITY

The Development Review Committee (DRC) is an internal decision-making body that consists of six (6) voting members representing the following departments:

- Planning
- Community Development Services
- Public Works
- Police
- Fire
- Parks and Recreation

The Committee also consists of advisory members to include the following:

- Administrative Services
- Library
- Brawley Airport Advisory Commission
- Utilities (Imperial Irrigation District, Southern California Gas Company, Time/Warner Communications, AT&T, Union Pacific Railroad, Imperial Valley Telecommunications Authority)
- School Districts (Brawley Union High School District and Brawley Elementary School District)
- California Department of Transportation (CALTRANS) District 11
- California Fish & Game Region 6
- County of Imperial (LAFCO/ALUC/Planning & Development Service, Air Pollution Control District)
- Naval Air Facility – El Centro

The Department Heads serve on the committee or may choose alternates to represent their departments.

The role of the DRC is to make recommendations and decisions on projects subject to the California Environmental Quality Act (CEQA) and projects requiring close coordination with other agencies. It also approves site plans and adjustment plats not requiring a zone change, general plan amendment, conditional use permit, variance, or subdivision.

VI. PLANNING DEPARTMENT ROLE AND RESPONSIBILITY

Planning is an approach to problem solving, a process to formulate future plans and ordinances, ensuring full public participation, and providing all advisory bodies (e.g., Planning Commission) and the legislative body (City Council) with the necessary information to make intelligent and informed decisions.

Through the California Constitution, the State has delegated the responsibility of implementing local policies and development to each City through the City General Plan.

Some of the specific functions of the Planning Department are to revise the General Plan, made up of seven (7) mandatory elements and one (1) optional element, review of specific plans, amending the General Plan, keeping the Zoning and Subdivision Ordinances current through amendments thereto, handling Conditional Use Permits, Specific Plans, Zone Changes, Variances, Major/Minor Subdivisions (Tract Maps/Parcel Maps), Site Plans, Adjustment Plats (Lot Line Adjustments, Lot Mergers) and Certificates of Compliance among others. The Planning Department also works with other city departments providing administrative and technical assistance with their projects.

One of the necessary functions of the review for any project submitted to the Planning Department is the California Environmental Quality Act (CEQA) application. Through the preparation of an "Initial Study", the City determines whether or not a particular project may create a significant impact on the environment.

Policies of the General Plan and city ordinances must be consistently applied across the board without regard as to who the applicant is and what the project may be.

Planning Department Staff

Gordon R. Gaste, AICP, Planning Director
Cresencia Mattila, Administrative Secretary

VII. LAND USE PERMITS

The City of Brawley processed a significant amount of land use applications. The applications have remained stable for the last three years.

Below are brief definitions of the various permits, standard procedures, and the number of permits processed during the 2011 Calendar Year. The definitions are not comprehensive; therefore, they should only be used as a reference.

Subdivision: Generally, a subdivision is any division of land for the purpose of sale, lease, or financing and is governed by the State Subdivision Map Act (Government Code, Section 66410).

Major Subdivision: With a few exceptions, a major subdivision is the division of five or more lots. During the 2011 Calendar Year, the Planning Department processed 0 Major Subdivision applications.

Minor Subdivision: A minor subdivision consisting of four or fewer parcels that requires a parcel map. During the 2011 Calendar Year, the Planning Department processed 0 Minor Subdivision applications.

Zone Change: Zoning is a state-mandated requirement and all properties within the City are classified into various zones or "zoning districts." Zoning regulations establish groups of permitted uses that vary from district to district. If a property owner desires to conduct a land use upon his property that is not permitted in the existing zoning district, he or she may apply for a Zone Change. During the 2011 Calendar Year, the Planning Department processed 0 Zone Change applications.

Conditional Use Permit: A procedure established whereby an applicant can request a certain land use to be permitted in an area in which it is not usually permitted by the Zoning Ordinance, and where such uses are deemed essential or desirable to the public convenience and welfare, and are compatible with the various elements or objectives of the General Plan. During the 2011 Calendar Year, the Planning Department processed 3 Conditional Use Permit applications.

Variance: A procedure established by state law and the ordinances of the City of Brawley whereby an applicant can request a deviation from the provisions of the minimum property development standards established relating to building height, lot area, structural coverage, building set backs, or accessory structures (e.g., carports, signs). During the 2011 Calendar Year, the Planning Department processed 3 Variance applications.

Adjustment Plat: Lot Line Adjustment and Lot Merger. These are required to adjust property lines between adjacent parcels when no new parcels are created. During the 2011 Calendar Year, the Planning Department processed 2 Adjustment Plat applications.

General Plan Amendment: During the 2010 Calendar Year, the Planning Department processed 0 General Plan Amendment applications.

Site Plan Review: A procedure for review of site-specific requirements for a project. A site plan review may be an ordained requirement or mandated by a condition of approval. During the 2011 Calendar Year, the Planning Department processed 8 Site Plan Review applications.

Cumulatively, the Planning Department processed 16 land use permit applications for the 2011 Calendar Year. This is consistent with last year's numbers of 15 applications and typical of a city of our size. Although other cities of comparable size typically have a staff of four to six for their Planning Departments, all applications have been processed within the timelines required by law with a staff of only two.

VIII. THE GENERAL PLAN UPDATE

The City of Brawley, in 2008, prepared a revised General Plan that serves to guide future development. The Housing Element was also updated in 2008 and is being implemented to achieve the regional housing needs.

The objective of the General Plan is to promote orderly growth and development and to maintain and improve the kind of environment that makes Brawley an excellent place to live, work, and enjoy leisure time. The General Plan contains information on the physical, economic, and social environment of Brawley.

The California Government Code requires that the plan be long-term, clearly written, comprehensive, and the policies of the plan must be internally consistent.

The City of Brawley General Plan is an official statement by the City Council. It can be viewed as the constitution for the City's physical development, for the protection of the environment, and for the enhancement of the quality of life in Brawley. It is used by the Planning Commission and City Council to support their decisions on major land use, zoning, and future public/private projects. The General Plan policies and programs shall also provide information and guidance to the general public. In context, the General Plan addresses the following mandatory plans and other optional elements:

- Land Use Element
- Infrastructure Element
- Resource Management Element
- Open Space/Recreation Element
- Public Safety/Noise Element
- Economic Development Element
- Housing Element
- Implementation Element

The City's new Service Area Plan (SAP) and Sphere of Influence (SOI) were adopted in February 2007.

IX. HOUSING ELEMENT PROGRESS

ATTACHED

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction City of Brawley
Reporting Period 1/1/2011 - 12/31/2011

Table A

**Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects**

| 1 Project Identifier (may be APN No., project name or address) | 2 Unit Category | 3 Tenure R=Renter O=Owner | 4 Affordability by Household Incomes | | | 5 Total Units Per Project | 5a Est. # of Units* | 6 Housing with Financial Assistance and/or Deed Restrictions | | 7 Deed Restricted Units | 8 Housing without Financial Assistance or Deed Restrictions |
|--|-----------------------|------------------------------------|---|----------------|---------------------|------------------------------------|---------------------------|---|---|----------------------------------|--|
| | | | Very Low- Income | Low- income | Moderate- income | | | Above Moderate- Income | Assistance Programs for Each Development | | |
| Villa Fortuna (Brawley Pioneers) | 5+ | R | 33 | 42 | | 75 | | TCAC, USDA | | | Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions. |
| 708 Adler St 1293 Trail St 991 K St 359 C St | SF | O | | 2 | | 2 | | USDA | | | |
| 622 S. 13th St 718 Adler St 1050 J St 1103 J St | SF | O | 6 | | | 6 | | USDA | | | |
| 451 Panno Street | 2-4 | O | | | 3 | 3 | | None | | | |
| 451 Panno Street | 5+ | O | | | 6 | 6 | | None | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| (9) Total of Moderate and Above Moderate from Table A3 | | | ▶ | ▶ | ▶ | 0 | 9 | | | | |
| (10) Total by income Table A/A3 | | | ▶ | ▶ | ▶ | 39 | 44 | 18 | 101 | | |
| (11) Total Extremely Low-Income Units* | | | | | | | | | | | |

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Brawley
Reporting Period 1/1/2011 - 12/31/2011

**Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant
to GC Section 65883.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65883.1(c)(1)

| Activity Type | Affordability by Household Incomes | | | | TOTAL UNITS | (4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65883.1 |
|-----------------------------------|------------------------------------|-----------------|------------|---|-------------|---|
| | Extremely Low-income* | Very Low-income | Low-income | | | |
| (1) Rehabilitation Activity | | | | | 0 | |
| (2) Preservation of Units At-Risk | | | | | 0 | |
| (3) Acquisition of Units | | | | | 0 | |
| (5) Total Units by Income | 0 | 0 | 0 | 0 | 0 | |

* Note: This field is voluntary

**Table A3
Annual building Activity Report Summary for Above Moderate-income Units
(not including those units reported on Table A)**

| | 1. Single Family | 2. 2 - 4 Units | 3. 5+ Units | 4. Second Unit | 5. Mobile Homes | 6. Total | 7. Number of Infill units* |
|---|------------------|----------------|-------------|----------------|-----------------|----------|----------------------------|
| No. of Units Permitted for Moderate | | | | | | 0 | |
| No. of Units Permitted for Above Moderate | | 3 | 6 | | | 9 | |

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Brawley
Reporting Period 1/1/2011 - 12/31/2011

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

| Enter Calendar Year starting with the first year of the RHNA allocation period. See Example. | RHNA Allocation by Income Level | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Total Units to Date (all years) | Total Remaining RHNA by Income Level |
|--|---------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------------------------------|--------------------------------------|
| | | 244 | 39 | | | | | | | | | |
| Very Low | Dead | | | | | | | | | | 283 | 473 |
| | Restricted Non-deed restricted | 756 | | | | | | | | | | |
| Low | Dead | | | | | | | | | | 208 | 302 |
| | Restricted Non-deed restricted | 511 | 44 | | | | | | | | | |
| Moderate | Dead | | | | | | | | | | | |
| | Restricted Non-deed restricted | 494 | | | | | | | | | 132 | 362 |
| Above Moderate | Dead | | | | | | | | | | | |
| | Restricted Non-deed restricted | 1,326 | 9 | | | | | | | | 152 | 1,174 |
| Total RHNA by COG. Enter allocation number: | | 864 | 92 | | | | | | | | 776 | 2,311 |
| Total Units | | | | | | | | | | | | |
| Remaining Need for RHNA Period | | | | | | | | | | | | |

Note: units serving extremely low-income households are included in the very low-income permitted units total.

Table C
Program Implementation Status

| Housing Programs Progress Report - Government Code Section 65583.3 | | | |
|--|--|-----------------------|----------------------------------|
| Program Description (By Housing Element Program Name) | Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element. | | |
| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
| 1 a. | Utilize the City's Updated General Plan Zoning Ordinance to provide adequate, suitable sites for the construction of new housing, reflecting a variety of housing types and densities. The City will make the land inventory available to the public at City Hall and will also post the inventory on the City's website. The City will publish the availability of the updated inventory at least annually. | 2008-2014 | Current and ongoing |
| 1 b. | Zoning Ordinance revision to evaluate Second Dwelling Unit provisions that will eliminate the need for Condition Use Permit or other discretionary approvals in all residential zones, in accordance with State law. | 2008 Fiscal Year | Complete |
| 1 c. | Continue to use zoning and other land use controls to ensure the compatibility of residential areas with surrounding commercial and other non-residential uses. | 2008-2014 | Current and ongoing |
| 1 d. | The Zoning Ordinance shall be revised to incorporate Density Bonus provisions, with options, as per SB 1818. | 2008 Fiscal Year | Complete |
| 1 e. | Zoning Ordinance revision to incorporate Inclusionary Zoning program to provide additional incentive and opportunity for the development of lower income housing as an indistinguishable component of market rate housing. | 2008 Fiscal Year | Incomplete |
| 1 f. | The City will grant programs, such as HOME and CDBG Programs for the reconstruction and/or rehabilitation of lower income, including extremely low income owner/renter occupied housing units in Brawley. The City will take all action necessary to expedite processing and approvals for such programs. | 2008-2014 | Current and ongoing |
| 1 g. | The City shall schedule anticipated project annexations in cooperation with individual developers for projects located within the City's Sphere of Influence to provide the land necessary to accommodate housing needs. A initiative timeline for annexations according to project priority will be drafted and distributed to all project proponents. | 2008-2010 Fiscal Year | Complete |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|---|--|----------------------------------|
| 1.h. | Continue to utilize environmental and other development review procedures to ensure that all new residential developments are provided with adequate services and facilities are or will be provided shall be a condition for their approval. | 2008-2014 | Current and ongoing |
| 1.i. | Housing data will be continuously posted on the City's web site and available in hard copy on request. | Beginning in 2008 and at least every 6 months thereafter | Current and Ongoing |
| 1.j. | Continue to update elements of the General Plan, as needed | Pursuant to State law | In Compliance |
| 1.k. | Brewer is currently in the process of updating the City's General Plan. The Updated General Plan will include data regarding the availability of infrastructure and service limitations, which inhibit housing development and shall identify programs and sources to address short-term and long-term needs. | 2008-2014 | Complete |
| 1.l. | Continue to offer a reduction in development fees and flexibility in development standards to stimulate the more intensive use of vacant residential land within walking distance of downtown Brewer through the implementation of the application of density bonuses. | 2008-2014 | Current and ongoing |
| 1.m. | Continue to conditionally allow residences above or to the rear of ground floor of commercial uses in the downtown area within the Downtown Overlay District. (Mixed use developments are conditionally permitted in Neighborhood Commercial [C-1] and Service and Professional [C-P] districts). | 2008-2014 | Current and ongoing |
| 1.n. | The newly revised Zoning Code includes a Mixed-Use Overlay District (Article XXII), in the Downtown overlay district (DOD), which includes the Civic Center Downtown overlay district which encourages the redevelopment of the downtown area with mixed-use uses. With the goal of 500 units in the planning period, to promote development in the DOD, the City will establish a list of all sites, including a list of primary opportunities and will advertise the sites with the development community, including nonprofit, by meeting bi-annually throughout the planning period. In addition, the City will establish a variety of concessions and incentives to promote development in the DOD, including fee deferrals, priority processing, assisting with site assembly, technical support, density bonuses, supporting funding applications and other tools based on input from the development community. | 2008-2014 | Current and ongoing |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|---|--|----------------------------------|
| 2.a. | Publicize and provide financial assistance in the form of low interest and deferred payment loans for the rehabilitation of residences owned and/or occupied by lower income households. | Application to be made at the appropriate application deadline beginning in FY 2009-2010 throughout Housing Element period to 2014 | Current and ongoing |
| 2.b. | Allow for the construction of bedroom additions with financial assistance from the City's residential rehabilitation program, when needed to eliminate overcrowding. The City's noticing campaign will consist of publishing at least annually the availability of funds for bedroom additions as well as for other eligible activities. The campaign will also involve the provision of ongoing program progress (and remaining funds availability), to be posted in City Hall and be kept up to date. | 2008-2014 | Current and ongoing |
| 2.c. | Continue to monitor housing conditions throughout the City, while periodically (i.e. every 5 years) conducting formal housing assistance/neighborhood improvement programs. | 2008-2014 (As part of the Housing Element and at least every 5 years thereafter) | Current and ongoing |
| 2.d. | If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes. | 2008-2014 | Current and ongoing |
| 2.e. | Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas. | 2008-2014 | Current and ongoing |
| 2.f. | Continue to provide information and technical assistance to local property owners regarding housing maintenance. | 2008-2014 | Current and ongoing |
| 2.g. | Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance. | 2008-2014 | Current and ongoing |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|---|-------------------|----------------------------------|
| 2.h. | Continue to utilize the City's General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established neighborhoods from incompatible land uses. | 2008-2014 | Current and ongoing |
| 3.a. | Utilize the development review process to incorporate energy conservation techniques into the layout and design of proposed residences. | 2008-2014 | Current and ongoing |
| 3.b. | Continue to require that all new residential development complies with the energy conservation requirements of Title 24 of the California Administrative Code, and the City will encourage developers through a revised Subdivision Ordinance to employ additional energy conservation measures in an effort to exceed the minimum required standards, including but not limited to the specific example below: Sustainable Site development; Water Savings; Energy Efficiency; Material Selection, and indoor environmental quality. | 2008-2014 | Current and ongoing |
| 3.c. | Continue to allow energy conservation measures as improvements eligible for assistance under the City's residential rehabilitation program. | 2008-2014 | Current and ongoing |
| 3.d. | Assist in distributing information to the public regarding free home energy audits and other programs of the Imperial Irrigation District (IID). | 2008-2014 | Current and ongoing |
| 4.a. | Provide outreach material on state and federal fair housing laws and direct complaints or housing discrimination to appropriate enforcement agencies (i.e. State Department of Fair Employment and Housing and Imperial County Department of Weights, Measures, and Consumer Protection Affairs). | 2008-2014 | Current and ongoing |
| 4.b. | Continue to allow the removal of architectural barriers with funding from the City's residential rehabilitation program in order to provide barrier-free housing for handicapped or disabled persons. | 2008-2014 | Current and ongoing |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|--|--|----------------------------------|
| 4.c. | Specify procedures as part of the updated Zoning Ordinance to provide reasonable accommodation for person with disabilities that allow for administrative approval of handicapped accessible features. | 2006-2010 Fiscal Year | Complete |
| 4.d. | Enforce the handicapped accessibility of Federal fair housing laws that apply to all new multi family residential projects containing four (4) or more units. | 2008-2014 | Current and ongoing |
| 4.e. | As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Brawley Zoning Code was identified as appropriate to better facilitate the provision of a variety of housing types, and housing to address the needs of extremely low income households: Add transitional and supportive housing within the code's definition section, and list as permitted use within residential uses of the same type in the same zone. | Within one year of the adoption of the Housing Element | Complete |
| 4.f. | As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Brawley Zoning Code was identified as appropriate to better facilitate the provision of a variety of housing types, and housing to address the needs of extremely low income households: Identify emergency shelters as a permitted use in the General Commercial Zone as indicated by the vacant land survey performed for the Housing Element. The City has in excess of 38 acres of vacant commercial land zoned C-1 through C-3 available throughout the City that would be available for emergency shelters. | Within one year of the adoption of the Housing Element | Complete |
| | Emergency shelters will be subject to the same development and management standards as other permitted uses in Commercial Zones. In addition, the City will develop written, objective standards for emergency shelters to regulate the following, as permitted under SB 2: <ul style="list-style-type: none"> 1. The maximum number of beds/persons permitted to be served nightly; 2. Off-street parking based on demonstrated need, but do not exceed parking requirements for other residential or commercial uses in the same zone; 3. The size/location of exterior and interior onsite waiting and client intake areas; 4. The provision of onsite management; 5. The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart; 6. The length of stay; 7. Lighting; <ul style="list-style-type: none"> 8. Security during hours that the emergency shelter is in operation. | | |

| Name of Program | Objective | Timeframe in H.Y. | Status of Program Implementation |
|-----------------|---|---|---|
| 4.g. | The City shall establish streamlined permit processing procedures to expedite the development of homeless shelters as developments come under the consideration of the City through expediting the permitting process for homeless shelters. | 2008-2014 | Current and ongoing |
| 4.f. | As part of the Governmental Constraints analysis for Housing Element update, the following revision to the City of Berkeley Zoning Code was identified as appropriate to better facilitate the provision of farmworker housing. The City shall amend its zoning code within one year of the adoption of this Housing Element to be consistent with the provisions of Health and Safety Code Sections 17021.5 and 17021.6 (Employee Housing Act) with regard to allowances of farmworker housing within the City zones. In addition, the City will contact nonprofit builders and agricultural stakeholders to identify suitable and available sites for development of farmworker housing by July of 2009. Upon identifying a site, the City will expeditiously assist builders and stakeholders to pursue funding resources, infrastructure availability, if necessary, and entitlements and provide priority processing. | | 2011/2012 Fiscal Year Incomplete |
| 5.a. | Periodically reexamine the Zoning Ordinance (i.e., every 5 years) for possible amendments to reduce housing construction costs without sacrificing basic health and safety considerations. | Every 5 years | Current and ongoing |
| 5.b. | Periodically review (i.e., every two years) the performance of local lending institutions with regard to the Home Mortgage Disclosure Act (HMDA) and the Community Reinvestment Act (CRA). | Biennial review of HMDA/CRA statements | 2010/2011 Fiscal Year |
| 5.c. | Periodically survey (i.e., every 5 years) other cities in the Imperial County to ensure that local development fees are reasonable. | Every 5 years | All relevant development fees updated as of 2010/2011 |
| 5.d. | Continue the program to allocate funds to defray the cost of land and/or required off-site improvements for lower income, extremely low income housing projects. | 2008-2014 | Current and ongoing |

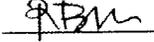
| Name of Program | Objective | Timeframe in N.E. | Status of Program Implementation |
|-----------------|---|--|--|
| 5.a. | The City shall encourage concurrent processing of entitlements to foster an environment conducive to business, allowing various analyses and staff reports to be done at the same time, rather than requiring one process to be completed before beginning the next process, the City will raise faster overall processing times. Department staff will notify applicants early in development process of this policy and place public notice of the City's policy on the web site. | 2008-2014 | Current and ongoing |
| 6.a. | Explore, with local lending institutions, their possible participation in the creation of a loan pool for the construction, rehabilitation and/or purchase of housing affordable to low and moderate income households, as a means for them to fulfill their obligations under the Federal Community Reinvestment Act. | 2008-2014, in conjunction with preparation of CDBG HOME funding applications. (Meeting with local lenders shall be held at least annually to evaluate progress and encourage ongoing participation.) | Current and ongoing A loan fund for mortgage write-down assistance is available |
| 6.b. | Continue to defer development fees for all proposed housing units affordable to lower income households. | 2008-2014 | Considered as requested |
| 6.c. | As part of the Zoning Ordinance revision, the City will evaluate for implementation the use of innovative land use techniques and construction methods, e.g. clustering of units, density transfers, zero lot line development, etc. to minimize the housing development costs and to maximize development opportunities. | Fiscal Year 2009-2010 | Complete |
| 6.d. | Zoning Ordinance revision will evaluate for implementation of reduced parking requirement for residential projects serving special needs groups or located close to public transportation or commercial services. | 2009-2010 Fiscal Year | Complete |
| 6.e. | Inform private developers of the below market interest rate mortgage programs operated by the California Housing Finance Agency (CalHFA) and direct interested developers to CalHFA, as a means to facilitate the construction of new, affordable housing for moderate income households. During each funding cycle, the Agency will execute a direct mailing to all interested developers, not limited to those currently doing business in the City, advertising the City's programs. | 2008-2014 | Current and ongoing |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|--|-------------------|----------------------------------|
| 5.f. | Support the efforts of non-profit organizations, private developers, and the Imperial Valley Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for lower income households. The City will be open to providing letters of support for funding applications; the City will also consider partnerships with non-profits for utilization of Code Enforcement staff and Brawley Redevelopment staff to help write and to review project applications. | 2008-2014 | Current and ongoing |
| 6.g. | <p>The City shall annually apply or support development and rehabilitation applications for State and Federal funding for affordable housing, including the following funding sources:</p> <p><u>Pursue Key Federal Affordable Housing Funding Sources:</u> Successful implementation of housing programs to create affordable housing depend on a community's ability to pursue additional funding sources. This program focuses on the six funding sources that are most pertinent to Brawley: CDBG and HOME, and RDA Programs - Section 515, Section 202, Section 514/516, and Section 523.</p> | 2008-2014 | Current and ongoing |
| | <p><u>Community Development Block Grant:</u> The State Department of Housing and Community Development (HCD) administers the federal CDBG program for non-entitlement cities and counties. Brawley is eligible to apply to HCD for CDBG funding. For the past five years, the City has annually applied for and been granted \$500,000 in CDBG funds.</p> <p><u>HOME:</u> Under the HOME program, HUD will award funds to localities on the basis of a formula that takes in account the tightness of the local housing market, inadequate housing, poverty, and housing production costs. HOME funding is provided to jurisdictions to assist either rental housing or homeownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing. Also possible is tenant-based rental assistance, property acquisition, site improvements, and other expenses related to the provision of affordable housing and for projects that serve a group identified as having special needs related to housing. The local jurisdiction must make matching contributions to affordable housing under HOME.</p> | | |
| | <p>The state HCD administers the HOME program for non-entitlement jurisdictions and funding under the State is awarded on a competitive basis. Non-entitlement jurisdictions may apply for HOME funds in response to the Notice of Funding Availability. Each application is limited to \$1,000,000 in HOME funds.</p> <p><u>Section 515 Rental Housing Program:</u> The City is an eligible locality for RDA financing and the program has been well utilized in the City. More than 350 units in Brawley are affordable to lower income households as a result of Section 515 Financing.</p> | | |

| Name of Program | Objective | Timeframe in H.S. | Status of Program Implementation |
|-----------------|--|---|----------------------------------|
| | <p><u>Section 202 Homeownership Loan Guarantee Program:</u> This program provides direct loans for the purchase, relocation or rehabilitation of ownership housing to lower income households at interest rates as low as one percent. This program has been used in Brawley to provide several units occupied by lower income buyers.</p> | | |
| | <p><u>Section 514/516 Farm Labor Housing:</u> Section 514 provides loans and Section 516 provides grants to developers for farm labor and migrant farm labor housing. The City of Brawley is eligible for Section 514/Section 516 funding and has used the project to provide affordable farm labor housing in Brawley. The 58-unit Austin Thomas complex, which is owned by the Imperial Valley Housing Authority and provides affordable housing for <u>Section 521 Mutual Self-Help Housing Program:</u> Technical assistance and site grants are provided to homeowners who complete at least 65 percent of the work to build his or her own home through "sweat equity". Once accepted into the Self-Help program, each individual enrolls generally applies for a Single-Family Housing Direct Loan (Section 502). This program has been used in Brawley to provide many affordable homeownership opportunities for lower income households.</p> <p><u>Colonia Funds:</u> The City is eligible to receive Colonia funds under the State CDBG program. Colonia funds can be used for housing rehabilitation, as well as street and other infrastructure improvements.</p> | | |
| 6.f. | California Housing Finance Agency (CFHA): Assist in the production of new, affordable housing for purchase of moderate income, first-time homebuyers. | Ongoing | Current and ongoing |
| 6.l. | Low Income Housing Tax Credits: Tax credits funds were available to assist in the construction of multi-family rental units affordable to low and moderate income households. The City will partner with developers to provide technical assistance to pursue tax credits for the construction of affordable units in the City. | Ongoing | Current and ongoing |
| 7.e. | Actively support the Brawley and Imperial Valley Housing Authorities attempts to secure additional Section 8 rental assistance to lower income households. | 2008-2014 | Current and ongoing |
| 7.b. | The City of Brawley will continue to utilize State and Federal funding sources such as HOME Program to assist at-risk units. | By 2009 (completed study of need for and possible content of anti-displacement ordinance) | Current and ongoing |

| Name of Program | Objective | Timeframe in H.E. | Status of Program Implementation |
|-----------------|---|---|--|
| 7.c. | The program objective is the rehabilitation of 2-4 units per year, or 10-20 units over the current 5-year planning period, facilitating the addition of bedrooms, or otherwise rehabilitating/improving dwelling units will help reduce the incidences of overcrowding in the City. | Application to be made at the appropriate application deadline beginning in FY 2009-2010 throughout Housing Element period to 2014. | Current and ongoing |
| 7.d. | To encourage participation in the rehabilitation program, the City will design and staff an informational kiosk within City Hall to coincide with City bill payment due dates to take advantage of the large percentage of people paying bills in person at the City Hall location. | Fiscal Year 2009-2010 and each fiscal Year thereafter. | Current and ongoing |
| 7.e. | Continue to monitor housing conditions throughout the City, while periodically (i.e. every 5 years) conducting formal housing assistance/neighborhood improvement programs. | 2008-2014 (as part of this Housing Element and at least every 5 years thereafter) | Current and ongoing |
| 7.f. | If necessary, cause the removal and replacement of substandard units, which cannot be rehabilitated, through enforcement of applicable provisions of the Uniform Housing and Revenue and Tax Codes. | 2008-2014 | Current and ongoing |
| 7.g. | Continue and expand code enforcement efforts, as necessary, and explore new methods of eliminating unsightly property conditions in residential areas. | 2008-2014 | Current and ongoing 2009 - Revised ordinances for better enforcement 2010 - Updated vehicle abatement and sign ordinance |
| 7.h. | Avoid displacement of residents in carrying out CDBG funded activities, whenever possible, or otherwise provide appropriate relocation assistance. | 2008-2014 (as needed) | Current and ongoing |
| 7.i. | Continue to utilize the City's General Plan and Zoning Ordinance to prevent the encroachment of incompatible uses into established neighborhoods from incompatible land uses. | 2008-2014 | Current and ongoing |

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: 05-15-2012
City Manager: 

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

SUBJECT: Project No. 2012-06 Grapefruit Drive Rehabilitation Project

CITY MANAGER RECOMMENDATION: Award Bid to Hazard Construction Company for Project No. 2012-06, Grapefruit Drive Rehabilitation Project, in amount of \$89,451.90 and authorize the City Manager to execute all documentation in relation to this project.

DISCUSSION: On April 12, 2012, the City of Brawley Engineering Department advertised Project No. 2012-06, the Grapefruit Drive Rehabilitation Project, which includes removal and replacement of concrete curb and gutter, driveway, and sidewalk, removal of asphalt concrete and base material, excavation and grading, installation of 3" of asphalt concrete over 9" of class II aggregate base, construction of concrete ribbon gutter and other items not mentioned that are required by the Plans, Drawings and Specifications.

On May 3, 2012, three bids were received as follows:

| | |
|--------------------------------------|--------------|
| Hazard Construction San Diego, CA | \$89,451.90 |
| Masters Construction Brawley, CA | \$93,553.50 |
| Pyramid Construction Heber, CA | \$117,608.27 |

The local bidding preference factor is not shown as it does apply to State Gran funded Projects.

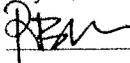
FISCAL IMPACT: \$89,451.90, 07/08 Prop 1 B Grant

ATTACHMENTS: Bid Summary

BID SUMMARY FOR SPECIFICATION NO. 2012-06: Grapefruit Drive Rehabilitation Project
BID OPEN DATE: May 3, 2012 @ 2:00 PM

| CONTRACTOR | Bid Schedule | |
|---|----------------------------|--|
| <p>Hazard Construction 6465 Marindustry Place San Diego, CA 92121 619-954-7782</p> | <p>\$89,451.90</p> | <p><input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledgement of Addenda () <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification</p> |
| <p>Masters Construction P.O. Box 231 Brawley, CA 92227 760-344-7400</p> | <p>\$93,553.50</p> | <p><input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledgement of Addenda () <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification</p> |
| <p>Pyramid Construction 839 Dogwood Road Heber, CA 92249 760-337-5839</p> | <p>\$117,608.27</p> | <p><input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledgement of Addenda () <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification</p> |

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: May 15, 2012
City Manager: 

FROM: Prepared by: Ruby D. Walla, Finance Director
Presented by: Ruby D. Walla, Finance Director

SUBJECT: Amendment to Claim forms for LTF (SB 325), Article 3, Bicycle/Pedestrian Project Fiscal Year 2011-12

CITY MANAGER RECOMMENDATION: Approve amended resolution 2012-11 and authorize Brawley Finance Director, as the City's authorized signature and designated contact person to apply for funds allocated for Bicycle/Pedestrian Projects.

DISCUSSION: On April 3, 2012, the Brawley City Council approved Resolution 2012-11, authorizing staff to apply for the allocated Article 3 funding for Bicycle/Pedestrian Improvements in the amount of \$10,000. However, the actual amount of the request for funds should have been in the amount of \$17,445. Staff is requesting to approve and amend resolution 2012-11 to reflect the correct amount of funding allocated to the City of Brawley.

FISCAL IMPACT: \$17,445 in revenue to Bicycle/Pedestrian Project

ATTACHMENTS: Resolution

RESOLUTION NO. 2012-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY,
CALIFORNIA, RESCINDING RESOLUTION NO. 2012-11 AND APPROVING THE
APPLICATION FOR BICYCLE AND/OR PEDESTRIAN FUNDS UNDER THE
TRANSPORTATION DEVELOPMENT ACT AND APPROVING THE ADOPTION
OF ITS BICYCLE AND/OR PEDESTRIAN PLAN.**

WHEREAS, the Transportation Development Act provides that 2 percent of each County's total Local Transportation Fund be annually set aside and used to fund the development of bicycle and pedestrian facilities; and

WHEREAS, the City of Brawley has planned a bikeway system in conformance with the specifications of Caltrans' Planning and Design Criteria for Bikeways in California, and the Regional Transportation Plan; and

WHEREAS, the City of Brawley desires to construct this project within their City using the funds available under the Transportation Development Act.

WHEREAS, Resolution 2012-11 contemplated an application for funds in the amount of \$10,000.00 and the City wishes to amend said amount to \$17,445.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRAWLEY DOES RESOLVE AS FOLLOWS:

1. To authorize the Finance Director as the City's authorized signature and designated contact person.
2. To apply for funds available to the City of Brawley allocated for Bikeways and Pedestrian facilities in the amount of \$17,445.
3. Resolution 2012-11 is hereby rescinded.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 15th day of May, 2012.

CITY OF BRAWLEY, CALIFORNIA

George Nava, Mayor

ATTEST:

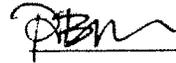
Alma Benavides, City Clerk

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date

May 15, 2012

City Manager



FROM: Prepared By: Guillermo Sillas, Associate Civil Engineer
Presented By: Yazmin Arellano, Public Works Director

SUBJECT: Easement for Public Purposes on S. 9th Street.

CITY MANAGER RECOMMENDATION: Accept Grant of Easement to the City of Brawley from Five Crowns, Inc. for Public purposes on South 9th Street.

DISCUSSION: As part of the South 9th Street Paving Project, the sidewalk shall be improved to incorporate ADA accessibility. Since there are (9) existing fire hydrants obstructing the new sidewalk construction, it is necessary to obtain an easement to construct the sidewalk around the fire hydrants. The easement is for public purposes, which include but are not limited to construction, maintenance, inspection, repair, upgrade, water, stormwater and appurtenances, together with all rights ingress and egress.

FISCAL IMPACT: None

ATTACHMENTS: Grant of Easement

Recording Requested By:

Engineering Division

City of Brawley
Brawley, CA. 92227

WHEN RECORDED MAIL TO:

Engineering Division
City of Brawley
180 S. Western Ave.
Brawley, CA. 92227

SPACE ABOVE THIS LINE FOR RECORDER'S USE
Exempt from Documentary Transfer Tax per R.T.C § 11922

Recording Fee Exempt per G.C. §6103

GRANT OF EASEMENT

CITY OF BRAWLEY

The owner of the real property described below is:

FIVE CROWNS, INC

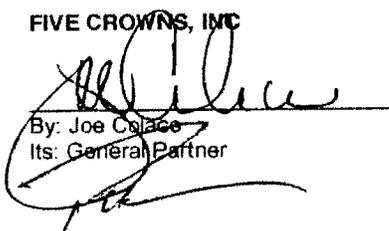
does (do) hereby grant, convey and dedicate to the City of Brawley, a municipal corporation, an exclusive appurtenant easement for public purposes, which purposes include, but are not limited to, construction, maintenance, inspection, repair, upgrade, water, stormwater and appurtenances, together with all rights of ingress and egress, over, across, that certain real property in the City of Brawley, County of Imperial, State of California, described as:

SEE EXHIBIT "A" LEGAL DESCRIPTION AND EXHIBIT "B" SKETCH
ATTACHED HERETO AND MADE A PART OF HEREOF

A.P.N.: 049-270-013, 049-270-057, 049-270-015, AND 049-270-016

In witness whereof, said Grantor(s) has(have) caused his(her)(their) name(s) to be hereunto subscribed
this _____ day of _____, 2012 at _____

FIVE CROWNS, INC


By: Joe Colace
Its: General Partner

By: Bill Colace
Its: General Partner

State of California

County of IMPERIAL

City of BRANDY

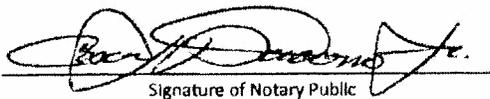
On April 9, 2012 before me, CESAR J. PERDOMO JR., Notary Public
Date Name and Title of the Officer

personally appeared JOE COFACE AND BILL COFACE
Name(s) of Signer(s)

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: 
Signature of Notary Public

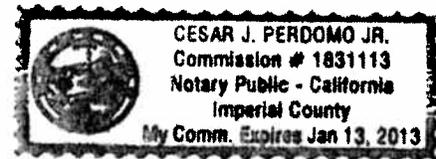


EXHIBIT A

LEGAL DESCRIPTION:

THAT PORTION OF THAT REAL PROPERTY SET FORTH IN GRANT DEED RECORDED SEPTEMBER 13, 1990 IN BOOK 1656, PAGE 1028 AS INSTRUMENT NO. 90016369, OF OFFICIAL RECORDS, SAID PARCEL ALSO BEING DESIGNATED AS PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE RECORDED JUNE 4, 2001 IN BOOK 2063, PAGE 816 OF OFFICIAL RECORDS, LYING WITHIN THE NORTH HALF OF TRACT 125, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 115, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., THENCE SOUTH 89°55'54" EAST A DISTANCE OF 1589.39 FEET ALONG THE NORTHERLY LINE OF TRACT 125 TO A POINT ON SAID TRACT LINE, SAID POINT BEING THE NORTHWEST CORNER OF A GRANT DEED PARCEL NO. 2 PER OFFICIAL RECORDS 2106-372 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 189.23 FEET ALONG THE WESTERLY LINE OF SAID PARCEL NO. 2 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77 TO A POINT; THENCE NORTH 74°26'16" WEST A DISTANCE OF 32.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NINTH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING (TPOB); THENCE SOUTH 66°54'09" WEST A DISTANCE OF 3.84 FEET TO A POINT; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 9.82 FEET TO A POINT; THENCE SOUTH 35°46'41" EAST A DISTANCE OF 3.84 FEET TO A POINT; THENCE NORTH 15°33'44" EAST A DISTANCE OF 14.62 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

IN ADDITION THERETO , THAT PORTION OF THAT PARCEL BEING DESIGNATED AS PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE RECORDED JUNE 4, 2001 IN BOOK 2063, PAGE 816 OF OFFICIAL RECORDS OF THE IMPERIAL COUNTY RECORDER, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 115, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., THENCE SOUTH 89°55'54" EAST A DISTANCE OF 1589.39 FEET ALONG THE NORTHERLY LINE OF TRACT 125 TO A POINT ON SAID TRACT LINE, SAID POINT BEING THE NORTHWEST CORNER OF A GRANT DEED PARCEL NO. 2 PER OFFICIAL RECORDS 2106-372 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 489.49 FEET ALONG THE WESTERLY LINE OF SAID PARCEL NO. 2 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77 TO A POINT; THENCE NORTH 74°26'16" WEST A DISTANCE OF 32.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NINTH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING (TPOB); THENCE SOUTH 66°54'09" WEST A DISTANCE OF 3.84 FEET TO A POINT; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 9.82 FEET TO A POINT; THENCE SOUTH 35°46'41" EAST A DISTANCE OF 3.84 FEET TO A POINT; THENCE NORTH 15°33'44" EAST A DISTANCE OF 14.62 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

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| | | |
|--|---|-------|
| <p style="font-size: 24pt; font-weight: bold; margin: 0;">Dynamic</p> <p style="font-weight: bold; margin: 0;">CONSULTING ENGINEERS</p> <p style="font-size: 8pt; margin: 0;">CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION MANAGEMENT 24-15 IMPERIAL BUSINESS PARK DRIVE, SUITE B IMPERIAL, CA 92251 TEL (760) 545-0162 FAX (760) 545-0163 www.dynamicconsultingengineers.com</p> | SOUTH NINTH STREET SIDEWALK EASEMENT | SHEET |
| | CITY OF BRAWLEY | 1 |
| | DATE: 03/27/2012 | OF 3 |
| | DCE No.: 271712 | |

LEGAL DESCRIPTION (CONTINUE)

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Dynamic CONSULTING ENGINEERS

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2415 IMPERIAL BUSINESS PARK DRIVE, SUITE B
IMPERIAL, CA 92251
TEL (760) 545-0182 FAX (760) 545-0183
www.dynamicconsultingengineers.com

SOUTH NINTH STREET
SIDEWALK EASEMENT

CITY OF BRAWLEY

DATE: 03/27/2012

DCE No.: 271712

SHEET

2

OF 3

LEGAL DESCRIPTION (CONTINUE)

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BEGINNING AT THE NORTHEAST CORNER OF TRACT 115, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., THENCE SOUTH 89°55'54" EAST A DISTANCE OF 1589.39 FEET ALONG THE NORTHERLY LINE OF TRACT 125 TO A POINT ON SAID TRACT LINE, SAID POINT BEING THE NORTHWEST CORNER OF A GRANT DEED PARCEL NO. 2 PER OFFICIAL RECORDS 2106-372 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 1994.02 FEET ALONG THE WESTERLY LINE OF SAID PARCEL NO. 2 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77 TO A POINT; THENCE NORTH 74°26'16" WEST A DISTANCE OF 32.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NINTH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING (TPOB); THENCE SOUTH 66°54'09" WEST A DISTANCE OF 3.84 FEET TO A POINT; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 9.82 FEET TO A POINT; THENCE SOUTH 35°46'41" EAST A DISTANCE OF 3.84 FEET TO A POINT; THENCE NORTH 15°33'44" EAST A DISTANCE OF 14.62 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

ALSO IN ADDITION THERETO , THAT PORTION OF THAT PARCEL BEING DESIGNATED AS PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE RECORDED JUNE 4, 2001 IN BOOK 2063, PAGE 816 OF OFFICIAL RECORDS OF THE IMPERIAL COUNTY RECORDER, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 115, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., THENCE SOUTH 89°55'54" EAST A DISTANCE OF 1589.39 FEET ALONG THE NORTHERLY LINE OF TRACT 125 TO A POINT ON SAID TRACT LINE, SAID POINT BEING THE NORTHWEST CORNER OF A GRANT DEED PARCEL NO. 2 PER OFFICIAL RECORDS 2106-372 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 2289.28 FEET ALONG THE WESTERLY LINE OF SAID PARCEL NO. 2 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77 TO A POINT; THENCE NORTH 74°26'16" WEST A DISTANCE OF 32.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NINTH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING (TPOB); THENCE SOUTH 66°54'09" WEST A DISTANCE OF 3.84 FEET TO A POINT; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 9.82 FEET TO A POINT; THENCE SOUTH 35°46'41" EAST A DISTANCE OF 3.84 FEET TO A POINT; THENCE NORTH 15°33'44" EAST A DISTANCE OF 14.62 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

ALSO IN ADDITION THERETO , THAT PORTION OF THAT PARCEL BEING DESIGNATED AS PARCEL 1 OF THE CERTIFICATE OF COMPLIANCE RECORDED JUNE 4, 2001 IN BOOK 2063, PAGE 816 OF OFFICIAL RECORDS OF THE IMPERIAL COUNTY RECORDER, DESCRIBED AS FOLLOWS:

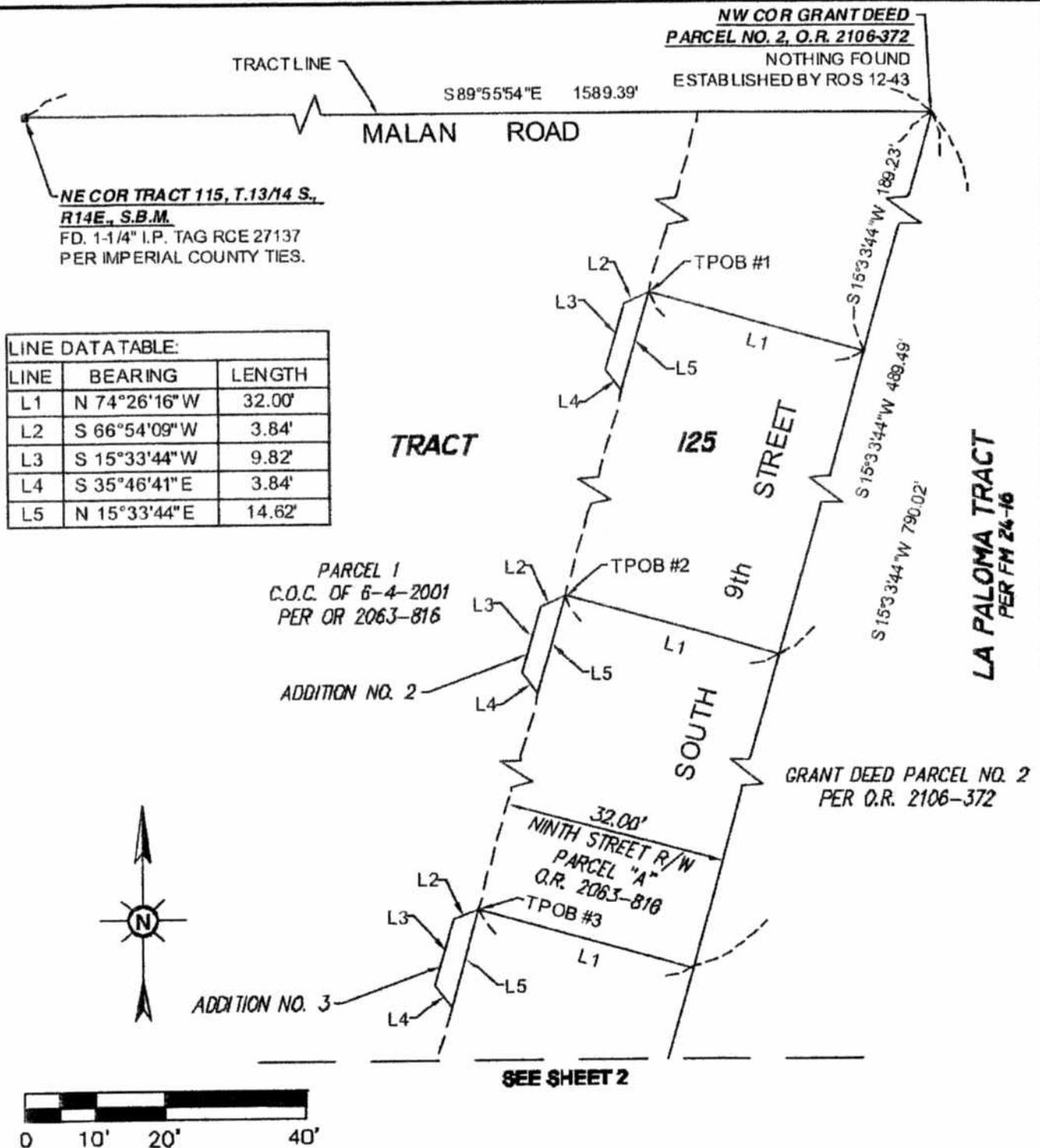
BEGINNING AT THE NORTHEAST CORNER OF TRACT 115, TOWNSHIP 13 AND 14 SOUTH, RANGE 14 EAST, S.B.M., THENCE SOUTH 89°55'54" EAST A DISTANCE OF 1589.39 FEET ALONG THE NORTHERLY LINE OF TRACT 125 TO A POINT ON SAID TRACT LINE, SAID POINT BEING THE NORTHWEST CORNER OF A GRANT DEED PARCEL NO. 2 PER OFFICIAL RECORDS 2106-372 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 2510.10 FEET ALONG THE WESTERLY LINE OF SAID PARCEL NO. 2 AS SHOWN ON RECORD OF SURVEY BOOK 14, PAGE 77 TO A POINT; THENCE NORTH 74°26'16" WEST A DISTANCE OF 32.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NINTH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING (TPOB); THENCE SOUTH 66°54'09" WEST A DISTANCE OF 3.84 FEET TO A POINT; THENCE SOUTH 15°33'44" WEST A DISTANCE OF 9.82 FEET TO A POINT; THENCE SOUTH 35°46'41" EAST A DISTANCE OF 3.84 FEET TO A POINT; THENCE NORTH 15°33'44" EAST A DISTANCE OF 14.62 FEET TO THE TRUE POINT OF BEGINNING (TPOB).

THE ABOVE DESCRIBED PARCEL CONTAINS 329.94 SQUARE FEET, MORE OR LESS.

END OF DESCRIPTION.

| | | |
|--|---------------------------|----------|
| Dynamic CONSULTING ENGINEERS CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION MANAGEMENT 2415 IMPERIAL BUSINESS PARK DRIVE, SUITE B IMPERIAL, CA. 92251 TEL. (760) 545-0162 FAX (760) 545-0163 www.dynamicconsultingengineers.com | SOUTH NINTH STREET | SHEET |
| | SIDEWALK EASEMENT | 3 |
| | CITY OF BRAWLEY | |
| | DATE: 03/27/2012 | OF 3 |
| | DCE No.: 271712 | |

EXHIBIT B



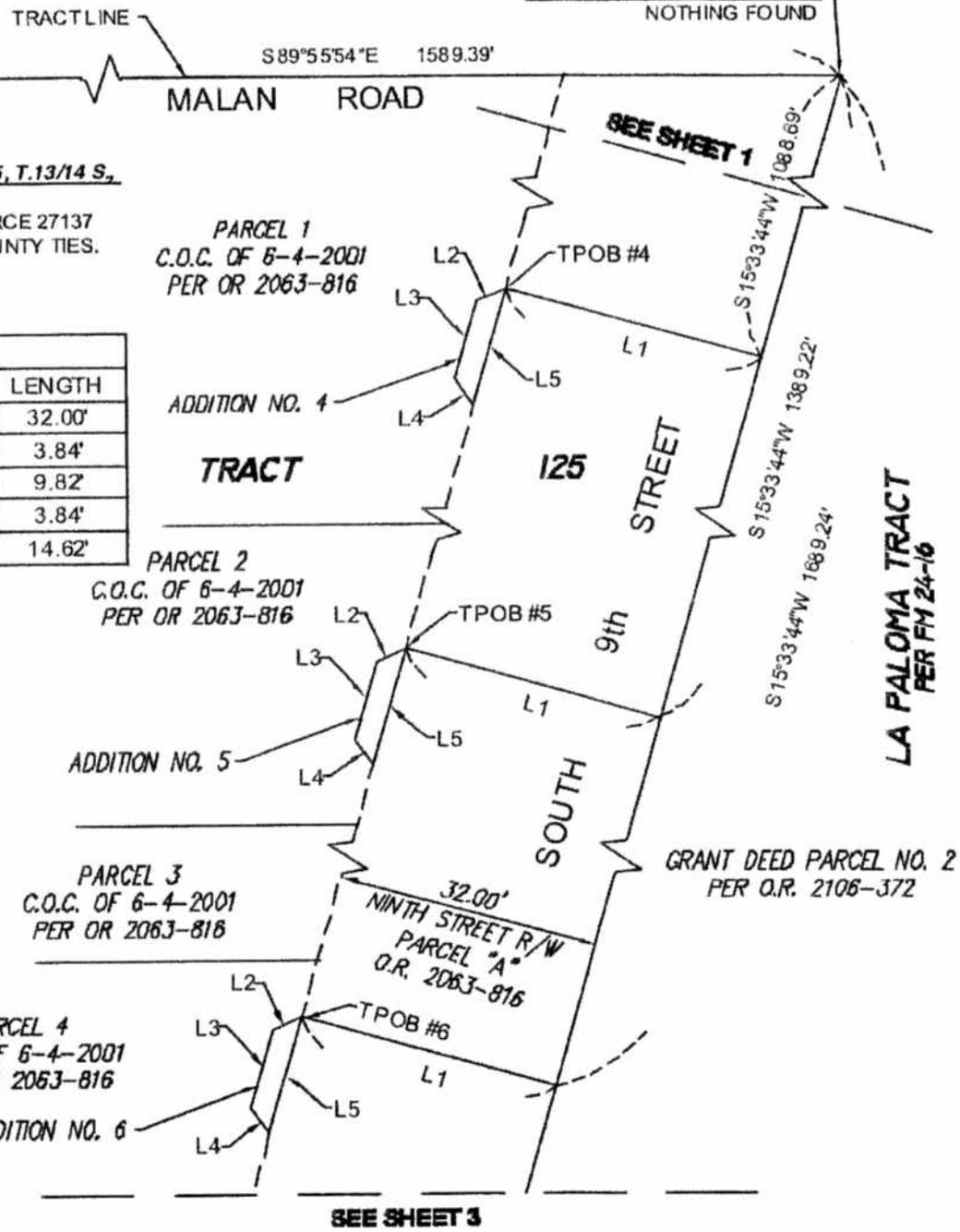
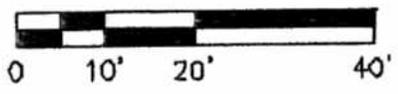
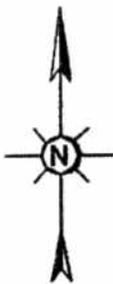
| LINE DATATABLE: | | |
|-----------------|---------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N 74°26'16" W | 32.00' |
| L2 | S 66°54'09" W | 3.84' |
| L3 | S 15°33'44" W | 9.82' |
| L4 | S 35°46'41" E | 3.84' |
| L5 | N 15°33'44" E | 14.62' |

| | | |
|--|---|-------------------|
| Dynamic CONSULTING ENGINEERS CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION MANAGEMENT 2415 IMPERIAL BUSINESS PARK DRIVE, SUITE B IMPERIAL, CA. 92251 TEL. (780) 545-0182 FAX (780) 545-0183 www.dynamicconsultingengineers.com | SOUTH NINTH STREET SIDEWALK EASEMENT | SHEET 1 |
| | CITY OF BRAWLEY | OF 3 |
| | DATE: 03/27/2012 | |
| | DCE No.: 271712 | |

NW COR GRANT DEED
 PARCEL NO. 2, O.R. 2106-372
 NOTHING FOUND

NE COR TRACT 115, T.13/14 S.,
 R14E., S.B.M.
 FD. 1-1/4" I.P. TAG RCE 27137
 PER IMPERIAL COUNTY TIES.

| LINE DATA TABLE: | | |
|------------------|--------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N 74°26'16"W | 32.00' |
| L2 | S 66°54'09"W | 3.84' |
| L3 | S 15°33'44"W | 9.82' |
| L4 | S 35°46'41"E | 3.84' |
| L5 | N 15°33'44"E | 14.62' |

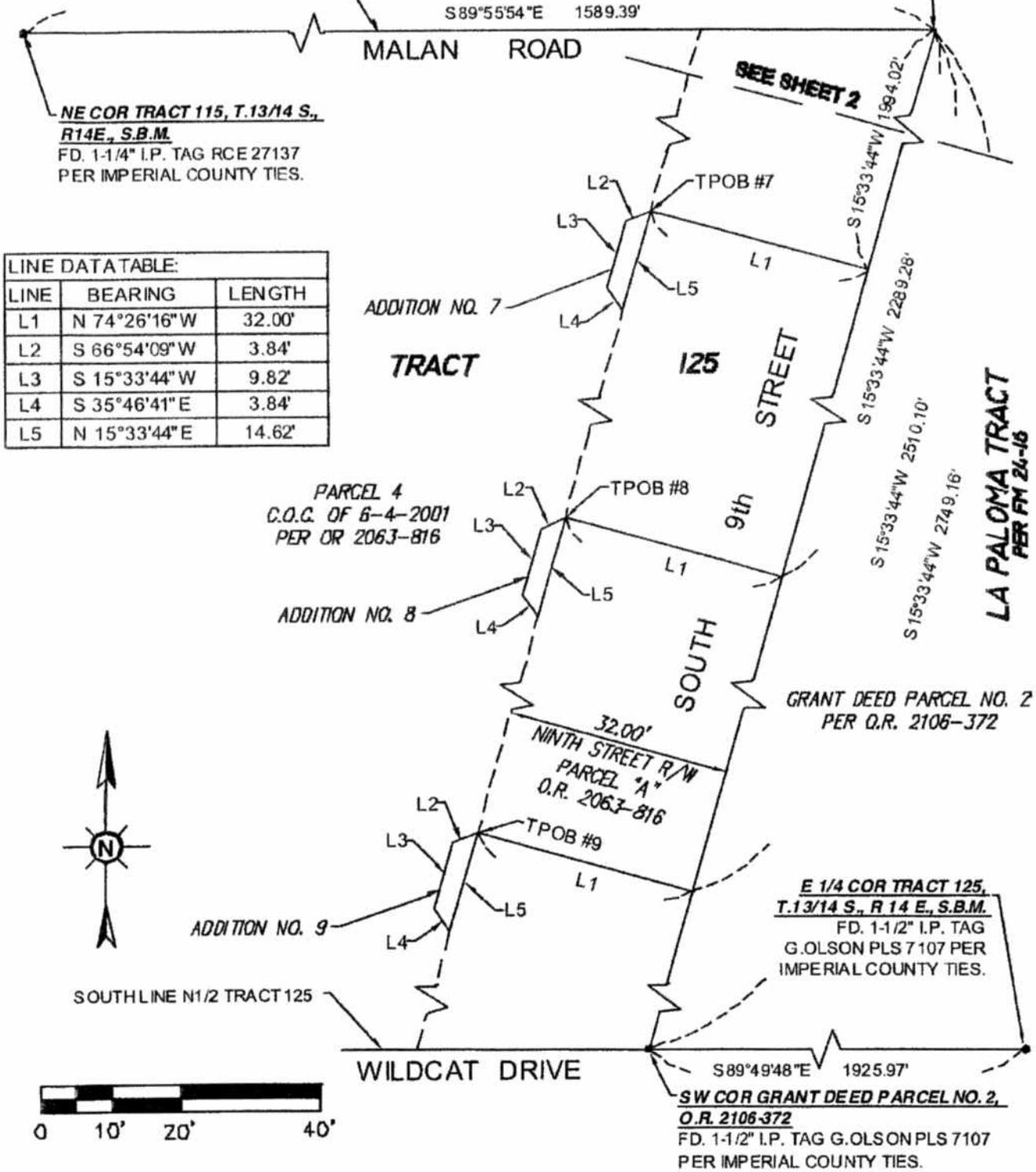


| | | |
|--|--|-------------------|
| Dynamic CONSULTING ENGINEERS CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION MANAGEMENT 2416 IMPERIAL BUSINESS PARK DRIVE, SUITE B IMPERIAL, CA. 92251 TEL. (760) 545-0162 FAX (760) 545-0163 www.dynamicconsultingengineers.com | SOUTH NINTH STREET SIDEWALK EASEMENT | SHEET 2 |
| | CITY OF BRAWLEY | OF 3 |
| | DATE: 03/27/2012 | |
| | OCE No.: 271712 | |

NW COR GRANT DEED
 PARCEL NO. 2, O.R. 2106-372
 NOTHING FOUND

NE COR TRACT 115, T.13/14 S.,
 R14E., S.B.M.
 FD. 1-1/4" I.P. TAG RCE 27137
 PER IMPERIAL COUNTY TIES.

| LINE DATATABLE: | | |
|-----------------|--------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N 74°26'16"W | 32.00' |
| L2 | S 66°54'09"W | 3.84' |
| L3 | S 15°33'44"W | 9.82' |
| L4 | S 35°46'41"E | 3.84' |
| L5 | N 15°33'44"E | 14.62' |



LA PALOMA TRACT
 PER FM 24-16

GRANT DEED PARCEL NO. 2
 PER O.R. 2106-372

E 1/4 COR TRACT 125,
 T.13/14 S., R 14 E., S.B.M.
 FD. 1-1/2" I.P. TAG
 G.OLSON PLS 7107 PER
 IMPERIAL COUNTY TIES.

SW COR GRANT DEED PARCEL NO. 2,
 O.R. 2106-372
 FD. 1-1/2" I.P. TAG G.OLSON PLS 7107
 PER IMPERIAL COUNTY TIES.

Dynamic CONSULTING ENGINEERS
 CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION MANAGEMENT
 2415 IMPERIAL BUSINESS PARK DRIVE, SUITE B
 IMPERIAL, CA 92251
 TEL (780) 545-0182 FAX (780) 545-0183
 www.dynamicconsultingengineers.com

**SOUTH NINTH STREET
 SIDEWALK EASEMENT**
 CITY OF BRAWLEY
 DATE: 03/27/2012
 DCE No.: 271712

SHEET
3
 OF 3

CERTIFICATE OF ACCEPTANCE

GOVERNMENT CODE SECTION 27281

THIS IS TO CERTIFY that the interest in real property conveyed by the deed or grant dated

_____, from _____
(Grantor)

to _____, a political corporation and/or
(Grantee)

governmental agency, is hereby accepted by order of the _____
(Legislative Body)

on _____, (or by the undersigned officer or agent on behalf of the
(Date)

_____ pursuant to authority conferred by the resolution of the
(Legislative Body)

_____ adopted on _____,) and the grantee consents to
(Legislative Body) (Date)

recordation thereof by its duly authorized officer.

Dated: _____

By: _____
(Agent signing on behalf of Legislative Body)

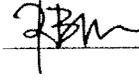
Title: _____
(Title of Agent signing on behalf of Legislative Body)

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date

May 15, 2012

City Manager



FROM: Prepared By: Guillermo Sillas, Associate Civil Engineer
Presented By: Yazmin Arellano, Public Works Director

SUBJECT: So. 9th Street Paving Project, Specification 2011-07, Change Order No. 1.

CITY MANAGER RECOMMENDATION: Approve the payment of Change Order No. 1 to Hazard Construction in the amount of \$8,165.

DISCUSSION: The property owner abutting the City's Right of way recently installed a new fence on the west side of the street. From station 34+16 to 23+20, a change in the work condition for tree trimming and removal was required to address the proximity of the fence to the trees. The contractor will take special care, additional time and equipment to facilitate the scope of work.

Due to temporary suspension of work to allow for AT&T to relocate the existing telephone line, the subcontractor will have to remobilize to remove the asphalt and concrete at the intersection of South 9th Street and Malan Street once work resumes.

FISCAL IMPACT: total of \$8,165, Local Match \$936.53, \$7,228.47 CMAQ

ATTACHMENTS: Change Order No. 1



CONTRACT CHANGE ORDER

| | |
|--|--|
| Date: April 18, 2012 | Project Name: 9 th Street Paving Project |
| To: Hazard Construction 6465 Marindustry Place San Diego, CA 92121 | Contractor: Hazard Construction Contract No.: 2011-07 Change Order No.: 001 |
| Attn.: Chad Opper | Schedule: Bid Schedule 1 Subject: Tree Trimming and removal, and remobilization |

Description and Justification of Change in Scope:

| ITEM | DESCRIPTION |
|------|---|
| #4. | Tree trimming and removal additional work due to new fencing. As a result of the fence recently installed on the west side of the street from station 34+16 to 23+20 there was a change on the work condition to do the tree trimming and removal, due to the proximity of the fence with the trees. The contractor will take special care, additional time and equipment to facilitate the scope of work. |
| #1. | Remobilization. Due to the temporary suspension to allow AT&T to relocate the existing telephone line which is shallow in depth, the subcontractor will have to remobilize to remove the asphalt and concrete at the intersection with Malan Street once work resumes. |

Cost Estimate for the above:

| Item | Description | Qty | Unit | Unit Price | Total |
|--|---|-----|------|------------|------------|
| Bid Schedule 1 | | | | | |
| 4 | Tree trimming and removal additional work due to new fencing. | 1 | LS | \$6,325.00 | \$6,325.00 |
| 1 | Remobilization. | 1 | LS | \$1,840.00 | \$1,840.00 |
| | | | | TOTAL | \$8,165.00 |
| | | | | | -816.50 |
| TOTAL AMOUNT OF THIS CHANGE ORDER LESS 10% RETENTION: | | | | | \$7,348.50 |

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

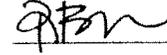
Specifications, where pertinent and not in conflict with the above shall apply to these changes.

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date:

May 15, 2012

City Manager



FROM: Prepared By: Alan Chan, Engineering Technician II
Presented By: Yazmin Arellano-Torres, P.E., Public Works Director

SUBJECT: Out of City Water Connection to 428 W. Cady Road.

CITY MANAGER RECOMMENDATION: Consider Authorization of Potential Water connection to 428 W. Cady Road outside of Brawley City Limits.

DISCUSSION: Kent Constable is the owner and operator of Omega Electric, Inc., an electrical contracting company that services the renewable energy industry. Omega Electric has been in business within the City for roughly fifteen years, with an average of twenty full time local employees at any given time.

Mr. Constable has requested a one inch water service connection to his property at 428 W. Cady Road. This property is located west of City of Brawley City Limits, within the jurisdiction of the County of Imperial. This property is within the alignment of the water main that services the Poe Colonia subdivision. Installation of this water service will require Mr. Constable to obtain a County of Imperial encroachment permit.

In addition, he will be responsible for obtaining a County of Imperial permit for installation, payment of the City water capacity fee, of hire of a licensed contractor to install the water service, and coordination City inspections.

Should the City act to authorize the water connection, the property owner shall pay the same water rare as user within City Limits.

FISCAL IMPACT: None at this time.

ATTACHMENTS: Letter dated April 30, 2012 from Omega Electric

ΩMEGA ELECTRIC INC.
ELECTRICAL CONTRACTOR

999 Jennifer St.
Brawley, CA 92227
License #: 807880
Telephone: (760) 351-2089
omega@roadrunner.com

April 30, 2012

To Jazmin Arellano
Brawley City Council Members

I would first like to introduce myself, Kent Constable, owner and operator of Omega Electric Inc. Omega Electric, located in the town of Brawley, has been in business for roughly fifteen years, with an average of twenty full time local employees at any given time. We are an electrical contracting company that services the renewable energy industry; we have had the privilege of building long term relationships with the most successful green energy producers in the world, such as Cal Energy, Ormat, and Simbol Materials. We are proud of our past accomplishments with these companies and look forward to the new development in this industry locally.

With the recent activity in the green energy industry, we felt the need to expand our business, we to choose to build a shop west of town, at 428 West Cady Road. This site was chosen to signify Brawley as the Imperial Valley's leader in green energy development and doing what we can to bring new development to the City of Brawley. With this expansion we ask the council if an out of city water connection can be made to the post sub water line, this connection intended use is for personal hygiene, landscaping, and fire protection.

Thank you for your consideration in this matter.

Sincerely,

Kent Constable
Omega Electric, Inc.

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: May 15, 2012
City Manager: APB

FROM: Prepared by: Chuck Peraza, Interim Fire Chief
Presented by: Mark Gillmore, Chief of Police

SUBJECT: Sales and Future Use / Discharge of "Safe and Sane" fireworks within the City of Brawley.

CITY MANAGER RECOMMENDATION: Consider Ordinance to allow for use/discharge of "Safe and Sane" fireworks beginning in Summer 2012 and Sales of "Safe and Sane" fireworks being in 2013.

DISCUSSION: At the City Council Meeting on May 1, 2012, the City Council directed the City Manager to review the potential to enable Sales and Use of Safe and Sane fireworks in time for the 4th of July holiday in 2012. A policy pathway has been identified to enable partial implementation event that the Council wishes to pursue it.

This Ordinance rescinds Ordinance #379, which forbids the sales, possession, and use of Safe & Sane Fireworks in the City of Brawley and establishes strict procedures for the display of professional fireworks displays, the sales of Safe and Sane Fireworks to the public, and the possession and discharge of Safe and Sane Fireworks within the city limits of Brawley. In addition, this Ordinance provides for the recovery of costs, through permit application and issuance fees, which will be associated with the allocation of permits issued by the Fire Chief to sell Safe and Sane Fireworks and the follow-up inspections Fire Department personnel are required to perform. The issuance of permits to sell fireworks is limited to one permit per 4,000 residents, which will allow seven fireworks stands in the City beginning June 2013.

Under this Ordinance, the discharge of Safe and Sane Fireworks will be lawful on July 4th 2012 throughout the City; except, discharge remains unlawful on City property, including parks, recreation areas, parking lots, and State Routes 78, 86, and 111, or within ten feet of any residence, dwelling or other structure. However, there is provision within the ordinance whereby the Fire Chief can designate a portion of one or more City parks as safe discharge areas.

Enforcement of this Ordinance is accomplished through the issuance of Administrative Citations, which then prohibits a seller of fireworks from receiving a permit to sell for 3-years following the violation. The possession illegal fireworks and the dangerous

discharge of Safe and Sane Fireworks are codified in the California Health and Safety Code 12676 et seq. Those violations will be handled by the Brawley Police Department and prosecuted through the Imperial County District Attorney's Office.

Anticipated impacts on the City are expected to be minimal. The Fire Department has projected to expend \$1,010 in staffing / overtime in preparation of additional "call-outs". The Police Department does not anticipate any significant impacts. Should trash become an issue (as a result of discharged fireworks remnants), the City may incur minor costs through the issuance of letters to the public in utility billing statements, reminding the public to clean up after themselves to retain the privilege granted under the Ordinance.

FISCAL IMPACT: \$1,010 for Fire Department Personnel Staffing Overtime

ATTACHMENTS: Proposed Ordinance

ORDINANCE NO. 2012-

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA
REPEALING ORDINANCE NO. 379 AND ENACTING CHAPTER 19H REGULATING
THE POSSESSION, SALE, AND USE OF SAFE AND SANE FIREWORKS WITHIN
THE CITY OF BRAWLEY.

The City Council of the City of Brawley does ordain as follows:

SECTION 1. Ordinance No. 379 is hereby repealed

SECTION 2. Chapter 19H of the Brawley Municipal Code is hereby enacted
to read as follows:

ARTICLE I - GENERAL

19H.1. Purpose and Authority

The purpose of this Ordinance is to regulate the possession, sale and use of fireworks within the City of Brawley. The City Council enacts this Ordinance pursuant to its general police powers and the State of California Fireworks Law, Sections 12500 through 12728 of the California Health and Safety Code, and State of California Fireworks Regulations, Chapter 6 of Title 19 of the California Code of Regulations.

19H.2. Title

This Ordinance may be cited as the "Brawley Fireworks Ordinance."

ARTICLE II - BRAWLEY FIREWORKS PROGRAM

19H.3. Administration

This Ordinance shall be administered by the Brawley Fire Department.

19H.4. Definitions

For the purposes of this Ordinance, the following definitions shall apply:

- a) "City" means the City of Brawley.
- b) "City Clerk" means the City Clerk of the City or the City Clerk's designee.
- c) "City Manager" means the City Manager of the City or the City Manager's designee.
- d) "Dangerous Fireworks" means Dangerous Fireworks as defined in Health and Safety Code Section 12505.

- e) "Fire Chief" means the Fire Chief of the City or the Fire Chiefs designee.
- f) "Fireworks Sales Permit" means a permit issued in accordance with Article IV of this Ordinance.
- g) "Fireworks Stand" means a structure of a temporary nature used in the sale, offering for sale, or display for sale of Safe and Sane Fireworks.
- h) "Fireworks Wholesaler" means any person who sells fireworks to other persons for resale by such persons.
- i) "Nonprofit Organization" means any nonprofit association, charity or corporation organized primarily for veterans, patriotic, welfare, civic betterment, educational, youth development or charitable purposes which is tax exempt pursuant to Internal Revenue Code Sections 501(c)3, 4, 6, 7, 8, 9, 10, 19, 23, or 26, that serves, in whole or in part, the residents of the City of Brawley.
- j) "Police Chief" means the Police Chief of the City or the Police Chief's designee.
- k) "Qualified Applicant" means any Nonprofit Organization which has met all of the following criteria for a continuous period of not less than one (1) full year preceding submittal of an application for a Fireworks Sales Permit and which continues to meet the criteria for the duration of the Fireworks Sales Permit.
 - i. The Nonprofit Organization must have a minimum bona fide membership of at least ten (10) adult members who either reside in the City, are employed in the City or who are owners or operators of a business located in the City. The organization shall upon request provide documentation demonstrating the minimum *bona fide* membership to the satisfaction of the Fire Chief.
 - ii. The Nonprofit Organization shall not have been found by any court of competent jurisdiction or City administrative hearing officer to be in violation of any civil or criminal local, state or federal law relating to fireworks, including this Ordinance within thirty-six (36) months prior to the Nonprofit Organization's submittal of an application for a Fireworks Sales Permit.
 - iii. The Nonprofit Organization must not have had a permit to sell fireworks revoked by any jurisdiction within thirty-six (36) months prior to the Nonprofit Organization's

submittal of an application for a Fireworks Sales Permit.

- l) "Safe and Sane Fireworks" means Safe and Sane Fireworks as defined in Health and Safety Code Section 12529 and 12562.

- m) "Responsible Person" means a person who causes a violation of this Ordinance to occur or who allows a violation to exist or continue, by his or her action or failure to act, or whose agent, employee or independent contractor causes a violation to occur or allows a violation to exist or continue. Provided, that:
 - i. There is a rebuttable presumption that the record owner of a residential parcel, as shown on the county's latest equalized property taxes assessment rolls, and any lessee of a residential parcel, has notice of any violation existing on said property.

 - ii. More than one person may be a Responsible Person for a single violation.

 - iii. Any person, regardless of age may be a Responsible Person. However, every parent, guardian or other person, having the legal care, custody or control of any minor person (defined as any person under 18 years of age) is a Responsible Person for violations committed by such minor, in addition to the minor him or herself, if such parent, guardian or other person knows or reasonably should know that a minor is in violation of this Ordinance. There is a rebuttable presumption that any such parent, guardian or other person having the legal care custody or control of a minor person knows or reasonably should know whether such minor is in violation of this Ordinance.

19H.5. **Fireworks Unlawful**

Except as otherwise provided in this Ordinance, no person shall possess, sell, use, display or explode any "Dangerous Fireworks," or any "Safe and Sane Fireworks," including, but not limited to, any rocket, firecracker, roman candle, squib, torpedo, wire core sparkler, wooden core sparkler, black cartridge, aerial shell or other combustible device or explosive substance or any kind of fireworks, by whatever name known, within the City of Brawley.

ARTICLE III - PUBLIC DISPLAYS OF FIREWORKS

19H.6. **Permits for Public Fireworks Displays**

It shall be unlawful to cause, allow, permit, aid, abet, or suffer any discharge of "Dangerous Fireworks" (including a public display) or any use of

special effects without having first obtained a permit from the Fire Chief as provided herein.

The Fire Chief may grant permits for those activities enumerated in Section 12640 of the California Health and Safety Code, including supervised public displays of fireworks by a public agency, fair association, amusement park, or other organization, or for the use of fireworks by artisans in pursuit of their trade. Each such use or display shall be handled by a licensed pyrotechnic operator (as defined by Section 12527 of the California Health and Safety Code), and shall be of such character and so located, discharged or fired as in the opinion of Council, following the receipt of the recommendation by the Fire Chief, will not be hazardous or endanger any property or persons.

19H.7. **Application Fee for Public Fireworks Displays**

Every application for permit to conduct a public display of fireworks or for other use of fireworks as permitted by section 2.010 shall be accompanied by a nonrefundable fee of one-hundred dollars (\$100.00).

19H.8. **Defense and Indemnity of City**

Every applicant for a permit to conduct a public display of fireworks or for other use of fireworks as permitted by Section 19H.6 shall agree to defend, indemnify and hold the City of Brawley, its officers and employees, harmless from any and all claims for damages or other costs arising out of the activity authorized by the permit.

19H.9. **Liability Insurance**

Every recipient of a permit to conduct a public display of fireworks or for other use of fireworks as permitted by Section 19H.6 shall maintain a corporate surety bond or policy of public liability and property damage insurance. The policy shall provide coverage for bodily injury (including death) and property damage with policy limits of not less than five million dollars (\$5,000,000) combined single limits. Such policies shall contain a provision which includes the City, its officers, officials, agents, and employees as additional insured's and provides that said insurance provides primary coverage as to the City without contribution by other City policies or self-insured retentions. Such policies shall also contain an endorsement that the company issuing such policy or policies will not allow the same to be cancelled without serving, by first class mail, ten (10) days' notice of cancellation upon the City Clerk.

Following approval of the permit by the Fire Chief as provided in Section 19H.6, no permit shall be issued until the permittee furnishes the City Clerk a "Certificate of Insurance" for each insurance policy required by this section, in a form approved by the City Attorney.

Notwithstanding any other provision of this Ordinance, the failure of the permittee to carry such policy or policies in force shall result in the automatic revocation of the permit as of the date of expiration of such

insurance policy or policies, Should a permit be automatically revoked as a consequence of this provision, the payment of the full amount of the permit fee required by this Ordinance shall be made to the City before the revoked permit may be reinstated.

ARTICLE IV - SALE AND USE OF SAFE AND SANE FIREWORKS DURING THE FOURTH OF
JULY PERIOD

19H.10. Possession or Use of Safe and Sane Fireworks Temporarily Permitted

Notwithstanding any provisions of this Ordinance to the contrary, the possession of Safe and Sane Fireworks shall be lawful during the period of 12 noon on the 28th of June through 12 noon on the 6th of July of the same calendar year; provided however, that it shall be unlawful to possess any modified or altered Safe and Sane Firework. It shall be unlawful to use or discharge any Safe and Sane Fireworks except between the hours of 9:00 a.m. and 11:00 p.m. on the days on which said Safe and Sane Fireworks may be possessed.

19H.11. Sale of Safe and Sane Fireworks

Notwithstanding any provisions of this Ordinance to the contrary, the possession and retail sale to the public of Safe and Sane Fireworks is permitted between 12 noon and 10 p.m. on the 28th of June of each year and from 9 a.m. through 10 p.m. on June 29th through the 4th of July of the same calendar year, by those Nonprofit Organizations possessing a current Firework Sales Permit.

19H.12. Applications for Fireworks Sales Permits and Lotteries

- a) Submission of applications by Qualified Applicants
 - i. No Nonprofit organization shall submit more than one (1) application for a Fireworks Sales Permit. If the City receives two (2) or more applications containing the same tax identification number, only one (1) application shall be accepted.
 - ii. Each application will be screened by the Fire Chief to determine if the Nonprofit Organization submitting it meets the criteria to be classified as a "Qualified Applicant."
- b) Every application for a Fireworks Sales Permit shall be accompanied by a nonrefundable application fee of thirty dollars (\$30.00) as imposed by this Ordinance.
- c) All applications for Fireworks Sales Permits shall be submitted in writing to the City Clerk on forms supplied by the City. Applications may be filed from January 1 through February 1, inclusive. Applications filed before or after these periods will not be accepted.

- i. If there are more Qualified Applicants than the maximum number of Fireworks Sales Permits available, then the Fire Chief shall conduct a random drawing to determine to whom the available Fireworks Sales Permits shall be issued.

The drawing shall occur on March 15th of each year, or the first day of business thereafter should March 15th fall on a non-business day. Those Qualified Applicants, which have been successful in being awarded a Fireworks Sales Permit, shall have up to and including May 1st to submit all information required by Section 3.040(d) and to pay the permit fee required by Section 3.040(d) (iii).

- ii. Applications for Fireworks Sales Permits will be reviewed by the Fire Department, Police Department and the City Clerk, as needed, pursuant to this Ordinance. Fireworks Sales Permits shall be issued by the Fire Chief.

19H.13. **Fireworks Sales Permit Requirements**

- a) Each Fireworks Sales Permit recipient may operate only one Fireworks Stand. The maximum number of Fireworks Sales Permits which may be issued during any one (1) calendar year shall not exceed one (1) Fireworks Sales Permit for each 4000 residents of the City of Brawley, or fraction thereof, as calculated by the City Clerk.
- b) Other provisions regarding Fireworks Sales Permit Applications.
 - i. After the maximum number of Fireworks Sales Permit recipients has been chosen, the remaining Qualified Applicants shall be drawn and assigned as alternates according to the order drawn. Each alternate, according to the order drawn, shall be offered a Fireworks Sales Permit if one of the original permittees' fails to meet the requirements of this Ordinance, or if a permittee voluntarily surrenders its Fireworks Sales Permit, or if a Fireworks Sales Permit is revoked.
 - ii. Two or more eligible Nonprofit Organizations may jointly submit an application pursuant to this Ordinance and may receive a single Fireworks Sales Permit to jointly sell fireworks, provided that each must be a Qualified Applicant. Fireworks Sales Permit recipients may select one or more other Qualified Applicants to join it in a joint venture operation of the Fireworks Stand, provided that any such joint venture must have been a Qualified Applicant that applied unsuccessfully for a Fireworks Sales Permit that same year.

- iii. Fireworks Sales Permits are valid only during the calendar year issued.
- c) Each Nonprofit Organization receiving a Fireworks Sales Permit must have at least one representative attend a Fireworks Stand Operator Safety seminar, approved by the Fire Chief, for the same year in which the Fireworks Sales Permit is issued. Failure of a nonprofit organization to attend the seminar shall result in the revocation of the Fireworks Sales Permit.
- d) Subsequent to selection for issuance of Fireworks Sales Permit, but prior to the issuance of a Fireworks Sales Permit, and in addition to those other requirements set forth in this Ordinance or on the permit application, each permittee shall provide or demonstrate compliance with all of the following:
 - i. A copy of the permittee's retail sales permit issued by the Office of the California State Fire Marshal.
 - ii. A copy of the permittee's California State Board of Equalization Temporary Sales Tax Permit.
 - iii. Payment of a permit fee in the amount of one hundred fifty dollars (\$150.00). This fee is in addition to the application fee paid pursuant to section 3.030(b) for the submission of the application.
 - iv. Insurance coverage as required by the provisions of Section 2.040, provided that the limits of liability required by that section shall be \$1,000,000, combined single limits.

19H.14.

Denial of Permit and Appeals Process.

- a) After conducting an investigation and preparing a report consistent with Health and Safety Code section 12640 et seq., the Fire Chief shall issue a Fireworks Sales Permit to Qualified Applicants chosen pursuant to section 3.030 unless:
 - i. The Fire Chief finds, in writing, that the applicant has failed to provide sufficient plans, information or data necessary to permit a determination respecting compliance with the requirements of this Ordinance.
 - ii. The Fire Chief finds, in writing, that the applicant is not in compliance with any of the requirements of this Ordinance.
- b) Any denial of a Fireworks Sales Permit application or revocation of a permit to sell fireworks issued pursuant to the Fireworks

Code may be appealed to the City Council consistent with Health and Safety Code Section 12647 within ten (10) days in writing.

19H.15 **Fireworks Stands**

- a) All retail sales of Safe and Sane Fireworks shall be permitted from within a temporary fireworks stand only. The retail sale of fireworks from any other building or structure is prohibited.
- b) No fireworks stand may be erected before June 23, or by any person not affiliated with a Nonprofit Organization to which a Fireworks Sales Permit has been issued.
- c) Fireworks stands must be located on lots that have an all-weather surface and adequate off-street parking to meet the requirement of any existing use or uses as well as the fireworks stand.
- d) Fireworks Stands are permitted only in the following zoning districts, as defined and delineated in the Brawley City Code:
 - i. Neighborhood Commercial (C1)
 - ii. Medium Commercial (C2)
 - iii. Heavy Commercial (C3)
 - iv. Light Manufacturing (M1)
 - iv. Heavy Manufacturing (M2)
- e) Each fireworks stand must post each of the following in a prominent place inside the fireworks stand:
 - i. Fireworks Sales Permit.
 - ii. California State Board of Equalization Temporary Sales Tax Permit
 - iii. California State Fire Marshal Retail Sales Permit
 - iv. Proof of Insurance
- f) Fireworks stands shall not be located closer than three hundred (300) feet apart, unless separated by a major arterial roadway.
- g) Fireworks stands shall comply with current National Fire Protection Association standard NFPA 1124 for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles.
- h) Fireworks Stands shall not be located within twenty-five (25) feet of any other building or structure.
- i) No fireworks shall be located within one hundred (100) feet of a location where gasoline or any other flammable liquids are stored

or dispensed.

- j) Electrical wiring within a Fireworks Stand is prohibited.
- k) Lighting on or in Fireworks Stands shall consist of battery powered lighting only.
- l) Each Fireworks Stand shall comply with fire prevention standards as adopted and enforced by the Fire Chief.
- m) All Fireworks Stands shall be inspected and approved by the Fire Chief prior to the sale of any fireworks.
- n) All weeds or other vegetation, and combustible material shall be cleared from the location of the fireworks stand to at least a twenty-five (25) foot radius surrounding the Fireworks Stand.
- o) No Fireworks Stand shall have a floor area in excess of five hundred (500) square feet or a length greater than fifty (50) feet.
- p) Each Fireworks Stand shall have at least two exits. Each Fireworks Stand in excess of forty (40) feet in length shall have at least three (3) exits, equally spaced. In no case shall the distance between exits required by this section exceed (20) feet. Exit doors shall be not less than twenty-four (24) inches wide, six (6) feet in height and must open in the direction of exit travel.
- q) "NO SMOKING" signs shall be prominently displayed on all sides of the Fireworks Stand. Smoking is prohibited within fifty (50) feet any Fireworks Stand.
- r) Each Fireworks Stand shall have two (2), currently certified, two and one-half (2-1/2) gallon pressurized water type fire extinguishers in good working order that are easily accessible in case of fire.
- s) Each Fireworks Stand must have an adult in attendance and in charge thereof when the Fireworks Stand is open to the public for sale or dispensing of fireworks and when fireworks are being delivered to, or taken from, the Fireworks Stand.
- t) No person may remain inside the Fireworks Stand after close of business.
- u) When the Fireworks Stand is not being used for the sale and/or display of fireworks, all fireworks shall be stored in a manner consistent with one of the following:

- i. Within a reinforced, heavy metal, fully-enclosed container, a walk-in type drop box, or equivalent, as approved by the Fire Chief.
 - ii. Returned daily to a Fireworks Wholesaler for storage at an approved and properly zoned location.
- v) No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of a Fireworks Stand.
- w) No person other than individuals who are bona-fide members of the Nonprofit organization which holds the Fireworks Sales Permit, and/or joint venture nonprofit organization(s), or the spouses, registered domestic partners, parents or adult children of such members, shall sell or otherwise participate in the sale of fireworks.
- x) No minor (defined as any person under the age of 18 years) shall sell or participate in the sale of safe and sane fireworks or handle any fireworks.
- y) Drinking or possession of alcoholic beverages in a fireworks stand or within one hundred feet (100) feet of a fireworks stand is prohibited, except within a permanent business establishment unaffiliated with the fireworks stand and which preexisted the fireworks stand.
- z) No person shall be paid any consideration by the permittee or any Fireworks Wholesaler for selling or otherwise participating in the sale of Safe and Sane Fireworks. Notwithstanding the foregoing, compensation may be paid for licensed security personnel and to any person permitting or leasing the location of the Fireworks Stand on its property as a payment for such permit or lease.
- aa) All fireworks shall be retained at the Fireworks Stand. In no event shall unsold fireworks be removed from the approved location to any other place without written approval of the Fire Chief. This provision shall not apply to the storage of fireworks pursuant to Section 3.060(u) (ii) of this Ordinance.
- bb) All unsold stocks of fireworks in the hands of the permittee after 10:00 p.m. on the 4th day of July shall be returned to the Fireworks Wholesaler by 12:00 p.m. on July 6th of the same calendar year.
- cc) No later than July 10th of each calendar year, each Fireworks Stand shall be completely removed and the premises upon which it was located shall be cleared of all debris and restored to the condition it was in prior to the establishment of the Fireworks Stand.

- dd) Fireworks Stands shall be permitted to have no more than two (2) double-sided signs with a maximum area of sixty-four (64) square feet per side. All such signs shall be located on the same site as the Fireworks Stand they identify or advertise. Signs may not be placed in such a manner as to interrupt the normal flow of vehicle or pedestrian traffic or to cause any sight distance problems for such traffic. Placement of such signs shall be subject to the review and approval of the Fire Chief, the Community Development Department and the Police Department. In no case shall the sign placement interfere with traffic or any other safety related concern. The above-described signs may be displayed from June 23rd through the end of the sales day on July 4th.

19H.16. **Sales to Minors**

It is unlawful to sell fireworks to minors.

19H.17 **Financial Reports**

On or before November 1st of any year during which a Nonprofit Organization received a Fireworks Sales Permit, the Nonprofit Organization shall submit to the City Clerk a financial statement prepared by its treasurer, or an officer of the Nonprofit Organization, setting forth:

- a) A copy of the most recent report filed by the Nonprofit Organization with the State Board of Equalization.

The filing of such statement shall be a condition precedent to the granting of any subsequent Fireworks Sales Permit.

19H.18. **Revocation of Fireworks Sales Permits and Appeal**

- a) The Fire Chief may revoke the Fireworks Sales Permit of any permittee who violates any of the provisions of this Ordinance. If the revocation occurs between June 22 and July 5, the Fire Chief shall inform the permittee that it may seek review of the decision by the City Manager on the next business day. The decision of the City Manager shall be final.
- b) Any permittee whose Fireworks Sales Permit has been revoked, shall be barred from receiving a future Fireworks Sales Permit under this Ordinance or under any subsequent ordinance establishing a Fireworks Sales Permit for up to three (3) years from the date of the revocation.

19H.19. **Discharge of Safe and Sane Fireworks-Regulations**

It shall be unlawful for any person to ignite, discharge, project or otherwise fire or use, any Safe and Sane Fireworks, upon or over or onto the property of another without his/her consent, or to ignite, discharge, project or otherwise fire or make use of any Safe and Sane Fireworks

within ten (10) feet of any residence, dwelling or other structure used as a place of habitation by human beings.

- a) It shall be unlawful to discharge fireworks of any type on City property, including, but not limited to parks, recreation areas or parking lots. Discharge on a City Street in a residential zone is permitted so long as it does not impede traffic, except that discharge shall not be permitted on the following streets: State Routes 78, 86 and 111.
- b) Notwithstanding the foregoing, it shall be lawful to discharge Fireworks in any portion of any City park that is officially designated by the Fire Chief as a Fireworks Discharge Area.

19H.20. **Supervision of Minors in Use of Fireworks**

- a) it is unlawful for minors to sell, purchase, possess, use or discharge fireworks of any type; provided, however, that minors under the direct supervision of their parent, guardian or other adult person having care, custody or control of said minor, may possess and discharge Safe and Sane Fireworks during the times and in the manner that such discharge is permitted by this Ordinance.
- b) It shall be unlawful for any person having the care, custody or control of a minor to permit said minor to discharge, explode, fire or set off any Dangerous Fireworks, at any time, or to permit such minor to discharge or set off any Safe and Sane Fireworks unless said minor does so under the direct supervision of a person over 18 years of age and during the hours and on the days permitted by this Ordinance.

19H.21. **Seizure of Fireworks**

The Fire Chief or Police Chief may seize, take, remove or cause to be removed, at the expense of the holder of a Fireworks Sales Permittee or licensed Fireworks Wholesaler, all stock of fireworks offered or exposed for sale, stored or held in violation of this Ordinance when such violation creates an imminent danger and a grave threat to public health or safety. The official removing such fireworks shall immediately provide written notice to the owner thereof, and shall provide an opportunity within twenty (24) hours to be heard with respect to such seizure.

In the event the violation does not pose imminent danger and a grave threat, the Fire Chief or Police Chief shall provide written notice and an opportunity to be heard prior to any seizure.

19H.22. **Public Education**

Each Fireworks Wholesaler supplying one or more permittees under this Article shall annually submit a Public Education Plan to the Fire Chief no later than 5:00 pm on June 1. Said Public Education Plan shall outline the public safety

and education efforts for that year that have been initiated, supported and/or delivered, by each Fireworks Wholesaler within the City.

Article V - ADMINISTRATIVE REGULATIONS

19H.22. Administrative Regulations

The Fire Chief is authorized to promulgate administrative regulations and procedures necessary for the successful and effective implementation of this Ordinance including, but not limited to, rules and procedures governing the submission and random selection of applications to sell Safe and Sane Fireworks and rules and procedures governing situations where two or more Fireworks Sales Permit recipients propose to establish Fireworks Stands within three hundred (300) feet of each other, in violation of Section 19H.15(f) of this Ordinance.

ARTICLE VI - ENFORCEMENT

19H.23. Violation Unlawful-Administrative Citations

- a) It is unlawful, and a misdemeanor, to violate any provision of this Ordinance, provided, however, that a violation of this Ordinance may, at the discretion of the Police Chief, Fire Chief or prosecuting attorney, be charged and prosecuted as an infraction.
- b) In addition to any other enforcement mechanism prescribed by law, this Ordinance may be enforced by the issuance of Administrative Citations pursuant to the Brawley Municipal Code.

19H.24. Conflict with Brawley Municipal Code

In the event that any provision of this ordinance conflicts with any provision of the Brawley Municipal Code, the provisions of this Ordinance shall prevail.

19H.25 Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of the Ordinance. The Council of the City of Brawley hereby declares that it would have passed this Ordinance and each article, section, subsection, paragraph, sentence, clause or phrase which is a part thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

SECTION 3. Effective Date 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 adjourned meeting of the Brawley City Council of the City of Brawley, held on the day of May, 2012.

CITY OF BRAWLEY, CALIFORNIA

George A. Nava, Mayor

ATTEST:

Alma Benavides, City Clerk

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

1st Reading

I, Alma Benavides, City Clerk of the City of Brawley, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 2012-03 was passed and adopted by the City Council of the City of Brawley, California, at a regular meeting held on the 15th day of May, 2012 and that it was so adopted by the following roll call vote:

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

DATED: May 15, 2012

Alma Benavides, City Clerk

2nd Reading & Adoption

I, **Alma Benavides**, City Clerk of the City of Brawley, California, **DO HEREBY CERTIFY** that the foregoing Ordinance No. 2012-03 was passed and adopted by the City Council of the City of Brawley, California, at a adjourned regular meeting held on the day of May, 2012 and that it was so adopted by the following roll call vote:

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

DATED: May , 2012

Alma Benavides, City Clerk



RECORD OF BUILDING PERMITS

April 2012

Prepared by: Francisco Soto, Building Official

Prepared As of: 05/01/12

| DATE ISSUED | PERMIT NUMBER | PERMIT DESCRIPTION | ASSESSOR PARCEL NUMBER | ADDRESS | OWNER | ISSUED TO | COST OF IMPROVEMENTS |
|-------------|---------------|--------------------|------------------------|-------------------------|------------------------------|--------------------------------|----------------------|
| 04/03/12 | 24380 | Reroof | 048-212-009 | 629 S. 3rd Street | Jose Novarro | Advanced Construction Experts | 3,000.00 |
| 04/04/12 | 24381 | Reroof | 048-125-002 | 476 W. "K" Street | Mark Hamby | Robert's Custom Roofing | 3,700.00 |
| 04/04/12 | 24382 | Demo Building | 047-210-002 | 500 N. 8th Street | Elms Equipment Rental, Inc. | Owner | N/A |
| 04/05/12 | 24383 | Electrical | 046-260-028 | 460 W. "D" Street | Edmond Gee | Owner | N/A |
| 04/05/12 | 24384 | Roof | 048-020-022-000 | 590 W. Main Street | BPM Motel Investment | Picazo Construction | 25,000.00 |
| 04/10/12 | 24385 | Remodel House | 049-222-004 | 637 S. 14th Street | Jesus and Lupe Soto | R. Garcia Construction, Inc. | 2,450.00 |
| 04/11/12 | 24386 | Plumbing | 047-454-004 | 670 S. Eastern Avenue | Celia Rodriguez | Campeinos Unidos, Inc. | N/A |
| 04/11/12 | 24387 | Plumbing | 046-253-021 | 467 W. "B" Street | Connie Preciado | Campeinos Unidos, Inc. | N/A |
| 04/12/12 | 24388 | Sign | 048-051-002 | 172 W. Main Street | Stacey Hoffman | Carlos Neon Signs | 1,500.00 |
| 04/12/12 | 24389 | Remodel Store | 048-193-009 | 580 S. 1st Street | 7-11 Southland Corp. | Jones Construction | 20,000.00 |
| 04/16/12 | 24390 | Remodel Business | 049-012-020 | 214 S. Imperial Avenue | Brandi Pratt | Owner | 20,000.00 |
| 04/17/12 | 24391 | Patio | 046-151-007 | 450 W. "B" Street | Richard and Jenny Henry | Allen Gentry | 5,640.00 |
| 04/19/12 | 24392 | Reroof | 048-291-022-000 | 576 Terrace Circle | Peter Osterkamp | Luke Hamby | 30,000.00 |
| 04/19/12 | 24393 | Remodel Store | 048-051-001 | 184 W. Main Street | Ungar Investment LLC | Asa Carlton | 20,000.00 |
| 04/19/12 | 24394 | Electrical | 049-012-020 | 214 S. Imperial Avenue | David and Brandi Pratt | Chuck Woodland Electrica. | N/A |
| 04/19/12 | 24395 | Sign | 049-060-031 | 1280 Main Street | Jordan Central | Carlos Neon Signs | 7,500.00 |
| 04/19/12 | 24396 | Right of Way | N/A | Various | City of Brawley | The Gas Company | N/A |
| 04/19/12 | 24397 | Mechanical | 048-250-009 | 4271 Highway 86 | James R. & JoAnn Howard | Western Aire | N/A |
| 04/20/12 | 24398 | Remodel House | 048-041-003 | 129 S. El Cerrito Drive | Joseph Rothfleisch | Ryebuilt Construction Corp. | 64,244.00 |
| 04/23/12 | 24399 | Reroof | 048-084-04 | 240 W. "I" Street | Michel D. Remington | Owner | 20,000.00 |
| 04/23/12 | 24400 | Electrical | 049-225-015-000 | 1259 Martin Street | James Barros | Owner | N/A |
| 04/23/12 | 24401 | New House | 048-044-003 | 204 W. "G" Street | R. Garcia Construction, Inc. | Owner | 131,090.00 |
| 04/23/12 | 24402 | Reroof | 048-212-001 | 603 S. 3rd Street | Evelyn Rubalcava | Berryman Roofing | 2,500.00 |
| 04/24/12 | 24403 | Patio | 048-133-006 | 248 W. "J" Street | Romualdo Carrillo | Owner | 7,452.00 |
| 04/25/12 | 24404 | Right of Way | 048-144-011 | 188 "J" Street | Ken Stills | R. Garcia Construction, Inc. | N/A |
| 04/25/12 | 24405 | Electrical | 048-250-009 | 4275 Highway 86 | Dr. Howard | W&M Electric Services, Inc. | N/A |
| 04/25/12 | 24406 | Remodel House | 048-358-016 | 1011 Calle Estrella | Leighan Seybert | George Mitchell Builders, Inc. | 5,000.00 |
| 04/25/12 | 24407 | Right of Way | 049-224-017 | 1257 Ivy Street | Liliana Rubio | Owner | N/A |
| 04/26/12 | 24408 | Electrical | 046-142-004 | 242 1/2 "A" Street | Vicente Ramirez | Owner | N/A |
| 04/25/12 | 24409 | Mechanical | 048-221-022 | 675 Garrett Street | Anna Gutierrez | Extreme A/C | N/A |
| 4/26/2012 | 24410 | Patio | 046-362-017 | 1146 Mesquite Court | Juan C. Guzman | Owner | 11,040.00 |
| 04/26/12 | 24411 | Patio | 046-294-08 | 230 W. Trail Street | Teri Sullivan | AJRA Construction | 17,945.00 |
| 04/27/12 | 24412 | Mechanical | 047-050-001 | 1060 N. Imperial Avenue | I. V. Housing Authority | Becerril Air Solutions | N/A |



RECORD OF BUILDING PERMITS

April 2012

Prepared by: Francisco Soto, Building Official

Prepared As of: 05/01/12

| DATE ISSUED | PERMIT NUMBER | PERMIT DESCRIPTION | ASSESSOR PARCEL NUMBER | ADDRESS | OWNER | ISSUED TO | COST OF IMPROVEMENTS |
|-------------|---------------|--------------------|------------------------|--------------------|--------------|-----------|----------------------|
| 04/27/12 | 24413 | Patio | 048-279-020 | 124 W. Tyler Place | Joshua Sells | Owner | 5,880.00 |