



Welcome Back to School

**COUNCIL AGENDA
FOR THE BRAWLEY CITY COUNCIL &
COMMUNITY REDEVELOPMENT AGENCY
Regular Meeting
Tuesday, September 6th, 2011 @ 6:00 PM**

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

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

Alma Benavides, City Clerk
Jim Hamilton, City Treasurer
Dennis H. Morita, City Attorney
Mark Gillmore, Interim City Manager/
Executive Director

CALL TO ORDER/ROLL CALL

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

1. PUBLIC APPEARANCES/COMMENTS (Not to exceed 4 minutes) *this is the time for the public to address the Council on any item not appearing on the agenda that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. Please direct your questions and comments to the City Council.*

2. PROCLAMATION/PRESENTATIONS

- a. Proclamation presented to – Adelante Valle a weekly newspaper **Pp 05**
- b. “911 Tribute” scheduled for September 11, 2011 at 6:00 PM at the Veteran’s Wall in Plaza Park – Lee Quarcelino, Brawley Veterans Wall Committee **Pp 06**
- c. “Ground Beef Expansion Project” and National Beef Upgrades – Brian Webb, Vice President.

3. DEPARTMENTAL REPORTS

4. CONSENT AGENDA Items are approved by one motion. Council Members or members of the public may pull consent items to be considered separately at a time determined by the Mayor.

- a. Approve City Council Minutes:
 - June 7, 2011 **Pp 07-11**
 - June 20, 2011 **Pp 12-13**
 - June 21, 2011 **Pp 14-21**
 - June 27, 2011 **Pp 22-24**
 - July 5, 2011 **Pp 25-29**
 - July 19, 2011 **Pp 30-37**
 - July 26, 2011 **Pp 38**
 - August 1, 2011 **Pp 39-45**
 - August 12, 2011 **Pp 46-47**
 - August 13, 2011 **Pp 48**
 - August 17, 2011 **Pp 49**
 - August 23, 2011 **Pp 50-52**
- b. Accounts Payable Registers:
 - August 18, 2011 **Pp 53-55**
 - August 25, 2011 **Pp 56-57**
 - August 26, 2011 **Pp 58**

- c. Approve Amendment No. 1 to contract with Lee and Ro, Inc. for additional consulting engineering services, inspection and construction support and inspection services associated with the Wastewater Treatment Plant Improvements. **Pp 59-78**
- d. Request Fire Chief permission to travel to Sacramento, CA to participate in the induction of the names of two (2) Brawley Firefighters onto the Firefighters Memorial Wall on October 1, 2011. Flags will be presented to both families. **Pp 79-81**
- e. Select STK Architecture, Inc. for the preparation of plans, specifications, and cost estimates for the Brawley Emergency Operations Center (EOC). **Pp 82**
- f. Request City Council to approve designating the Brawley Chamber of Commerce as a city-permitted sponsor allowing them to sell alcohol during Cattle Call Week for Queen Coronation Banquet 10-15-2011, Chili Cook-Off 11-05-2011, Dia de la Familia 11-06-2011 and Mariachi Festival 11-09-2011. **Pp 83-95**
- g. Approve 2nd Reading of Ordinance No. 2011-05: Ordinance of the City Council of the City of Brawley, California electing to participate in the alternative voluntary redevelopment program pursuant to California Health and Safety Code Sections 34192, Et. Seq. (ABX1 27), subject to certain conditions and reservations. **Pp 96-101**
- h. Reject claim as recommended by Carl Warren & Company Insurance Management Claims Adjusters: **Michael Triqueroz & Nationwide Company (subro Kimberly Cole) Pp 102-104**
- i. Adopt Resolution No. 2011- : Resolution of the City Council of the City of Brawley, California approving the destruction of certain Finance Department records, documents and papers, pursuant to Sections 34090 of the Government Code of the State of California. **Pp 105-106**
- j. Approve the accrual of annual leave accumulation above maximum allowed by contract until City Manager position filled. **Pp 107-119**
- k. Approve Resolution No. 2011- : Resolution of the City Council of the City of Brawley, California amending Resolution No. 97-37 amending the Bernardo Padilla Subdivision Assessment District for 2011-2012. **Pp 120-129**

5. REGULAR BUSINESS

- a. Requesting direction from Council to proceed and submit for the 2011 AFG Grant. This will be for a rescue squad equipped with rescue equipment being sought. The total amount requesting is for \$159,864.45 and the City's match is at 10% which amounts to \$15,986.45. **Pp 130**
- b. Discussion/update on Utility Users Tax.
- c. Discussion/action on Downtown Specific Plan. **Pp 131**
- d. Adopt Resolution No. 2011- : Resolution of the City Council of the City of Brawley, California appointing members to fill terms on the Airport Commission, Planning Commission and Tenant Commissioner for Imperial Valley Housing Authority. **Pp 132-152**
- e. Discussion/action on dissolution of BEDC – allow Brawley Chamber of Commerce to use the City portion of remaining account balance. **Pp 153-154**
- f. Approval to fill two (2) vacant positions at Public Works and Police Department. **Pp 155**
- g. Discussion/action on moving date of next regular City Council Meeting scheduled for September 20, 2011 moved to September 19, 2011 due to the Annual League of Cities Conference in San Francisco, California starting September 21-23, 2011.

6. RECONVENE TO COMMUNITY REDEVELOPMENT AGENCY

- a. Adopt Resolution No. 2011- : Resolution of the Community Redevelopment Agency (CRA) of the City of Brawley, California authorizing investment of Brawley Community Redevelopment Agency monies in local agency investment fund. **Pp 156**

7. COUNCIL MEMBER REPORTS

8. INTERIM CITY MANAGER REPORT

9. CLOSED SESSION

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

- b. Conference with Legal Counsel – Anticipated Litigation Initiation of litigation pursuant to subdivision (c) of Section 54956.9 one (1) potential case.

- c. Conference with Real Property Negotiators
Property: City Wastewater
Agency Negotiator: Mark Gillmore, Interim City Manager
Negotiating party: ORMAT
Under negotiation: price and terms of payment

- d. Conference with Labor Negotiator
Agency designated representative: Mark Gillmore, Interim City Manager
Employee organization:
 - 1. Management, Confidential and Unrepresented

ADJOURNMENT Adjourn to ***Tuesday, September 20, 2011 @ 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