

CITY OF BRAWLEY
February 19, 2013

The City Council of the City of Brawley, California met in regular session at 6:00 PM, Council Chambers, 383 Main Street, Brawley, California, the date, time and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. §54954.2.

The meeting was called to order by Mayor Couchman @ 6:00 PM

PRESENT: Campbell, Couchman, Miranda, Nava, Wharton
ABSENT: None

The invocation was offered by Council Member Campbell.

The pledge of allegiance was led by Council Member Nava.

APPROVAL OF AGENDA

The agenda was ***approved as amended***. m/s/c Campbell/Nava 5-0

1. Regular Business Item No. 4d Update re: Rancho Porter Tax Sharing Agreement, was moved up on the agenda to follow Regular Business Item No. 4a.
2. Consent Agenda Item No. 4c: Reject Claim as Recommended by Carl Warren & Co., Claims Management & Solutions; Claimant: Adam Perez/Exit Imperial Realty v. City of Brawley, was removed from the consent agenda to consider as a regular discussion/action item.

PUBLIC APPEARANCES

There were no public appearances.

CONSENT AGENDA

The consent agenda was **approved** as follows: m/s/c Nava/Miranda 5-0

- a. **Approved** Minutes for the February 5, 2012 meeting.
- b. **Approved** the Accounts Payable Registers for January 31, 2012, February 7, 2013, and February 8, 2013.
- c. **Resolution No. 2013-08:** Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year City of Brawley Budget (Public

Library/Amendment No. 3) \$25,465 California State Library CLLS Program, was **approved, passed and adopted.** m/s/c Nava/Miranda

AYES: Campbell, Couchman, Miranda, Nava, Wharton
NAYES: None
ABSTAIN: None
ABSENT: None

- d. **Resolution No. 2013-09:** Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year City of Brawley Budget (City Clerk/ \$5018.00) was **approved, passed and adopted.** m/s/c Nava/Miranda

AYES: Campbell, Couchman, Miranda, Nava, Wharton
NAYES: None
ABSTAIN: None
ABSENT: None

- e. **Resolution No. 2013-10:** Resolution of the City Council of the City of Brawley Relating to Management, Confidential & Unrepresented Employees Who Do Not Have an Employment Agreement Regarding Payment of CalPERS Member Contributions, was **approved, passed and adopted.** m/s/c Nava/Miranda

AYES: Campbell, Couchman, Miranda, Nava, Wharton
NAYES: None
ABSTAIN: None
ABSENT: None

REGULAR BUSINESS

- a. Reject Claim as Recommended by Carl Warren & Co., Claims Management & Solutions; Claimant: Adam Perez/Exit Imperial Realty v. City of Brawley

Staff report: Rosanna Bayon Moore, City Manager
Shirley Bonillas, Risk Management Administrator

Reviewed the specifics of the claim and actions taken to date. Carl Warren is recommending rejection.

The Council **rejected the claim filed by Adam Perez/Exit Imperial Realty** as recommended by Carl Warren & Co. m/s/c Wharton /Miranda 5-0

- b. Update re: Rancho Porter Tax Sharing Agreement

Public Input: George Garcia, Design Development

The City Manager reviewed the history of the Rancho Porter project from June 7, 2011 to the present. She advised that the city has yet to receive the preliminary title reports. Staff will work with the city attorney on the documents associated with the annexation fee deferral and security, if that is the direction of the Council. A resolution may be submitted as early as the March 5, 2013 City Council meeting.

The Council agreed that staff should proceed, and that staff work concurrently with the County of Imperial so that the process proceeds as expeditiously as possible.

- c. Presentation of Wastewater Master Plan by Michael Pollard, Psomas. Discussed Master Plan Objectives, Capital Improvement Program, future planning dates and funding.
- d. Presentation by Danny Fitzgerald, IVEZ Manager & Potential Action re: State of California Proposed Regulatory Changes to Enterprise Zones. The Imperial Valley Enterprise Zone (IVEZ) is one (1) of forty in the state. Discussed 1. Retro Vouchering; 2. TEA Redefinition; 3. TEA Documentation and 4. Other Categories Documentation. It was the consensus of the City Council that a comment letter to HCD be prepared and signed by Mayor Couchman on behalf of the City of Brawley.
- e. Discussion re: 2013-2014 Budget Process

The City Manager is seeking the Council's direction on the structure for budget sessions.

- 1. Two (2) public workshops:
 - a) General Fund
 - b) Water Enterprise
- 2. Council meetings dedicated to budget.
- 2. Workshop with department heads; emphasis on city staff input, innovations and ideas.
- 3. Keep staff and the public informed.
- 4. Use e-mail for staff and public input, with no name or identification required.

The City Manager advised that she would have a proposed schedule ready for the next meeting.

f. Update re: Legion & Highway 86 Roadway Improvements

Staff report – Yazmin Arellano, Public Works Director

1. Slurry seal complete on Legion Road.
2. The striping is scheduled for February 20th at 8:00 AM
(CalTrans will not allow striping if it rains and the asphalt is wet)
3. Inspections on Thursday.
4. Fields review on Thursday by CalTrans for clearance to open.
5. Legion Road is estimated to open on Friday, February 22nd,
pending receipt of a completed punch list from the Chandi Group.

What if completed punch list not received? The city manager explained that opening of the road will be held until the work product is delivered. They have had the punch list since August 6, 2012, and have every incentive to make it happen.

Discussion followed regarding posting warning signs to traffic and pedestrians.

The city manager explained that Caltrans prohibits crossing on highways with this specific rural designation. Staff will contact CalTrans regarding what the city can or can't do relative to pedestrian movements.

- g. Discussion & Potential Action re: City Co-Sponsorship of Cesar Chavez Family Festival & Sale of Alcohol on Premises at Cattle Call Park on April 20, 2013. The Council **approved the sale of alcohol beverages on the premises at Cattle Call Park, and waived the \$500.00 park use fee.**
m/s/c Nava/Wharton 5-0

DEPARTMENTAL REPORTS & INFORMATIONAL ITEMS

- a. Record of Building Permits, January 2013 & Three (3) Year Building Permit Summary- Francisco Soto, Building Official

CITY COUNCIL REPORTS

Wharton: Attended 2013 Blue Angel Air Show; 91st Hidalgo Installation of Officers; Imperial State of the City; Library Board of Trustees meeting; PMH Norm Lassey Classic. My heartfelt condolences to the Gabriel Zarate family.

Nava: Attended Hidalgo Installation of Officers; Coffee meetings with Council Member Wharton and Supervisor Kelley; visited downtown in preparation for the April 27, 2013 Main Street event; condolences to Gabriel Zarate family.

Campbell: Attended Hidalgo installation; NAACP Meet & Greet; Southern California Assn. of Governments meeting in Los Angeles; Imperial State of the City; El Centro Marti Gras Parade (escorted Assemblyman Perez); condolences to Gabriel Zarate family; thank you Council Members Nava and Wharton for your work on the Main Street event.

Miranda: Attended Hidalgo Installation; Brawley Wildcats Division 3 CIF Wrestling Tournament at San Diego Catholic Cathedral (The Wildcats are CIF Champions again); Community Concert at Hidalgo. Extended an invitation to the Frankie Chavez Softball Tournament, Saturday, February 23rd , 8:30 AM at Hinojosa Park.

Couchman: Attended Hidalgo 91st Installation; met with staff and city auditors; Imperial Valley Enterprise Zone meeting; Chamber Good Morning at SDSU Brawley Campus; Sad news to hear about Gabriel Zarate.

TREASURER'S REPORT

Jim Hamilton, City Treasurer, reported that the City's Finance Director and he will be visiting banks in Brawley seeking the best deal for the City's investments. We would like to spread our business around.

CITY MANAGER'S REPORT

1. League of California Cities Division Meeting – February 28, 2013
2. Brawley Community Foundation exploratory meeting re: the Brawley theatre, to see if there is an opportunity to use Community Development Block Grant (CDBG) funding for the theatre. Will have follow up meeting with Housing & Community Development staff to see if there is a viable funding opportunity.
3. The San Diego State Deans Advisory Committee met on Presidents' Day. San Diego State University (SDSU) will apply for an Economic Development Administration (EDA) award to construct the Center for Energy Sustainability at the Brawley Campus. It is likely a resolution of support from the City Council will be requested.
4. Letters have been sent to notify those appointed to various commissions, boards and committees, including meeting dates, time and location for said meetings, made by Mayor Couchman at the last meeting.
5. Staff for the County of Imperial Overall Economic Development Commission (OEDC) has advised that there are currently no elected persons serving on the OEDC. The commission is active and has

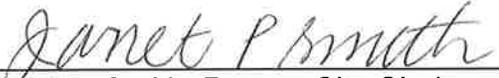
frequent meetings. Council Members Couchman and Nava stated their desire to remain as Brawley representatives on the OEDC.

CITY ATTORNEY'S REPORT – None

ADJOURNED TO CLOSED SESSION 8:00 PM

- a. Public Employee Appointment; Discussion of Appointment of Personnel: Title: Fire Chief (G.C. 54957)
- b. Conference with Labor Negotiator (G.C. 54957.6)
Agency Designated Representative: Rosanna Bayon Moore
Employee Organizations: Teamsters Local 542
- c. Conference with Legal Counsel – Anticipated Initiated Litigation Pursuant to Subdivision (c) of G.C. 54956.9 – One (1) Potential Case.

ADJOURNMENT – Next regular meeting, Tuesday, March 5, 2013, 6:00 PM, City Council Chambers, 383 Main Street, Brawley, California.



Janet P. Smith, Deputy City Clerk