

**CITY OF BRAWLEY**  
**March 5, 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 Miranda.

**APPROVAL OF AGENDA**

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

Regular Business Item No. 4(b) Water/Wastewater Capacity Fees and Development Impact Fees Implementation Schedules rescheduled for the March 19, 2013 meeting.

**PUBLIC APPEARANCES**

**Carlton King, Imperial Irrigation District Energy Department**, reported on a common problem that both the Imperial Irrigation District, the City and public at large had regarding copper theft, which results in higher costs, safety risks and is dangerous. He reported that the Imperial Irrigation District is reinstating their metal theft program, with public rewards up to \$2,500 for the arrest and conviction of violators. He asked that the public at large be aware of their surroundings and to report any suspicious activity. He distributed posters regarding the metal theft program.

Council Member Wharton requested Mr. King to give a presentation to the Brawley Public Safety Committee.

**Lupe Navarro, 671 South 18<sup>th</sup> Street**, and owner of buildings at 191-192 North Plaza. He stated he was concerned about the fires in the City. He reported that he recently experienced a fire on his property. Thanks to the Fire, Police and Building Departments the damage was minimal. They found that the building has electrical service that is not grounded. He requested information about the status of the City's fire investigations, and if the city could get together with building owners to let them know how they can protect their properties.

The City Manager explained that the fires are part of an active investigation. The City will likely share new information with the public in the next 24 hours. She asked anyone that observes suspicious activity to notify the police department.

**Jose Flores, Brawley Union High School**, U.S. History teacher, reported that this year BUHS has started a new civics class. That is why, at recent city council meetings, students have been attending the meetings to ask questions and see how local government works. The students recently had a campaign to register voters. BUHS has received notice from Sacramento that they have been chosen to receive a Learning Civic Award with Distinction for their activities.

**John Hernandez, 514 J Street**: Inquired of the Council about the recent newspaper article regarding the \$1.7 million fine from the Regional Water Quality Control Board. He is looking for a response from the City, the Water Board and the Federal Government.

**CONSENT AGENDA**

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

- a. **Approved** Minutes for the February 19, 2013 meeting.
- b. **Approved** the Accounts Payable Registers for February 15, 2013 and February 22, 2013.

**REGULAR BUSINESS**

- a. The 2013-2014 Proposed Budget Calendar was approved as amended. m/s/c Nava/Wharton 5-0

March 18, 2013	5:30 – 7:30 PM	Special City Council Meeting Strategic Planning
April 9, 2012	5:30 – 7:30 PM	Special City Council Meeting Budget Workshop
May 9, 2013	5:30-7:30 PM	Special City Council Meeting Budget Workshop
May 21, 2013	6:00 PM	Regular City Council Meeting General Fund Budget & Enterprise Funds Adoption

**DEPARTMENTAL REPORTS & INFORMATIONAL ITEMS**

- a. Monthly Staffing Report, March 2013 – Shirley Bonillas, Personnel & Risk Management Administrator

## **CITY COUNCIL REPORTS**

- Wharton: Attended the State of the County, League of California Cities Division meeting, Citizens Coffee Breaks (at which we are engaging citizens in discussions), the Main Street event is in process, and thanked staff.
- Nava: Attended the Imperial County Transit Commission (ICTC) meeting which addressed unmet transit needs. CalTrans is engaging truck drivers who do not use the by-pass. They are waiting for the GPS to reflect the routing changes. Attended the League of California Cities Division meeting; Citizens Coffee Breaks. Working on the "Taking Back Main Street" event scheduled for April 27, 2013.
- Campbell: Attended the League of California Cities Division meeting; State of the County; Ribbon Cutting for Sweet Blessings. Will be attending the Southern California Assn. of Governments (SCAG) meeting in Los Angeles tomorrow. With regards to the Wastewater Treatment Plant, the City Council and staff do not take the situation lightly. Thanked the staff for all of their efforts.
- Miranda: Attended the 19<sup>th</sup> Annual Frankie Chavez Memorial; The memorial has given over \$167,000 in scholarships over the last 18 years; Thank you Sam Palomares for your efforts to paint graffiti out. Attended the Board of Supervisors meeting with regards to National Beef.
- Couchman: Attended the State of the County; League of California Cities Division meeting; 19<sup>th</sup> Annual Frankie Chavez Memorial; the Friends of the National Rifle Assn. event; a Solar Farm; and Senior Love Run. Joanie Moore, Cattle Call Committee member, has contacted me regarding the committee's concern with usage of the Cattle Call Arena. The committee wants to have a meeting regarding how user's of the arena should leave the arena after use and recommended charges to pay for the work done.

## **TREASURER'S REPORT** - None

## **CITY MANAGER'S REPORT**

1. The Community Development Block Grant Audit of June 2012, audited the program for a period that spanned ten (10) years. The City of Brawley received notification regarding clearance of all conditions effective February 28, 2013. We are now eligible to apply for funds as they become available. A future item is anticipated as City proposes projects in response.

2. State of the City, March 8, 2013 at 7:00 AM, Stockmen's Club of Imperial Valley.
3. We have received two (2) requests for sponsorship of a special event. (Budgeted \$2,500, \$1,055 remains):
  - (a) American Citizens Club Installation  
(Gold sponsorship \$500; Table of 10 \$250)

The Council determined that the tickets will be purchased for individual Council Members that wish to attend the installation.

- (b) Pop Warner Football Camp (\$100 to \$500 sponsorships)

The Council determined that Council Members will sponsor as individuals.

**CITY ATTORNEY'S REPORT** – None

**ADJOURNED TO CLOSED SESSION** 6:53 PM

**PENDING LITIGATION**

- a. Upon advice of its legal counsel, the Agency will recess to closed session pursuant to G.C. 54956(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the Agency is a party. The title of the litigation is Jupiter Ventures vs. City of Brawley

**ANTICIPATED LITIGATION**

- b. Conference with Legal Counsel; Significant Exposure to Litigation Against the Agency. A point has been reached where, in the opinion of the Agency legislative body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Agency. There is one (1) potential case. (G.C. 54956.9(b)(1))

**JPA INSURANCE CLAIMS DISCUSSIONS**

- c. The Legislative Body, as a Member of a Joint Powers Authority formed for purposes of insurance pooling pursuant to G.C. Section 6500 et seq., will meet in closed session to discuss claims for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the Joint Powers Agency or a Local Agency Member of the Authority. There are 192 Potential Claims (G.C. 54956.9)

NEGOTIATIONS REGARDING ACQUISITION/DISPOSITION OF REAL PROPERTY

- d. The Agency will recess to closed session pursuant to G.C. 54956.8 to give instruction to Rosanna B. Moore, Agency Negotiator, regarding negotiations with ORMAT which instructions will concern price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations concerning the purchase, sale, exchange, and/or lease of the property located at 5015 Best Road, Brawley, California 92227.

LABOR RELATIONS NEGOTIATIONS

- e. The Agency will recess to closed session pursuant to G.C. 54857.6 to meet with Rosanna B. Moore, City Manager, who is the Agency's designated representative for the purpose of reviewing the Agency's position and instructing its representative regarding matters of salaries, salary schedules, compensation paid in the form of fringe benefits, or, as applicable, other matters dealing with mandatory subjects within the scope of representation pursuant to G.C. 3504. Teamsters Local 542.

PERSONNEL MATTERS

- f. The Agency will recess to closed session pursuant to G.C. 54957 to consider the evaluation of the performance of the City Attorney

PUBLIC SECURITY

- g. The Agency will recess to closed session to meet with Rosanna B. Moore, City Manager, on matters posing a threat to the security of public buildings. (G.C. 54957)

**ADJOURNMENT** – Next regular meeting, Tuesday, March 19, 2013, 6:00 PM, City Council Chambers, 383 Main Street, Brawley, California.

  
Janet P. Smith, Deputy City Clerk