

**CITY OF BRAWLEY**  
**March 19, 2013**

The City Council of the City of Brawley, California met in regular session @ 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** @ 6:02 PM

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

The invocation was offered by **Council Member Campbell**

The pledge of allegiance was led by **Mayor Pro-Tempore Miranda**

**APPROVAL OF AGENDA**

The Council **determined that there is a need for immediate action** which cannot reasonably wait for the next regularly scheduled meeting and that the action came to the attention of the body after the agenda had already been posted, and added the following item to the agenda: m/s/c Wharton/Nava 5-0

Resolution Declaring an Emergency Ratifying Action Taken by the City Manager & Authorizing the City Manager to Take Such Further Action as May be Necessary in Response

- 3f. Approve General Plan Annual Progress Report was **removed from the consent agenda for regular discussion/action.**

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

**PUBLIC APPEARANCES**

**Katie Figari, Brawley Chamber of Commerce:** Invited the Council Members and public to a public workshop, Thursday, March 21, 2013, 5:00 PM – 8:00 PM, Southwest High School Multi-Purpose Room, 2001 Ocotillo Drive, El Centro, California, for the Home Basing of the F-35C Joint Strike Fighter. She advised that this will be the only hearing for public input. She also advised that there is a petition supporting this effort available for anyone who has not yet signed it.

**Pat Vela:** Stated that she was new to the City and loved our city. She said that she missed the last Council meeting because she couldn't find the building because of inadequate lighting.

**Eric Reyes:** Attended the assessment appeals hearing for National Beef to reassess the value of their property. He urged the City Council to use their resources to get a public hearing scheduled to identify the “concrete method” as to how the assessment was made.

## **CONSENT AGENDA**

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

- a. **Approved** Minutes for the March 5, 2013 meeting.
- b. **Approved** the Accounts Payable Registers for February 28, 2013 and March 7, 2013
- c. **Resolution No. 2013-11:** Resolution of the City Council of the City of Brawley, California, Authorizing the Application for Funds From the Imperial County Children & Families First Commission for the Libraries Enable All to Read Now Project (LEARN), was approved, **passed and adopted**. m/s/c Miranda/Nava 5-0  
Ayes: All Naves: None Absent: None
- d. **Resolution No. 2013-12:** Resolution of the City Council of the City of Brawley, California, Authorizing the Application for Funds from the Imperial County Children & Families First Commission for the Literacy & Mobile Book Services (LAMBS) was approved, **passed and adopted**. m/s/c Miranda/Nava 5-0  
Ayes: All Naves: None Absent: None
- e. **Resolution No. 2013-13:** Resolution of the City Council of the City of Brawley, California, Relating to Employees Represented by the Teamsters, Chauffeurs, Warehouseman, and Helpers Local Union No. 542 Bargaining Unit Regarding Payment of CalPERS Member Contributions, was approved, **passed and adopted**. m/s/c Miranda/Nava 5-0 Ayes: All Naves: None  
Absent: None

## **REGULAR BUSINESS**

- a. Water/Wastewater Capacity Fees & Development Impact Fees Implementation Schedule

Staff Presentation and Recommendation: Yazmin Arellano, Public Works Director

Approve increase of Water & Wastewater Capacity Fees with 40% immediately, 55% in one (1) year, 70% in two (2) years, 85% in three (3) years and 100% in four (4) years. Approve Development Impact Fees with 33% immediately, 66% in two (2) years, and 100% in four (4) years.

Correspondence received and read into the record opposing Water & Wastewater Capacity Fee and Development Impact Fee increases:

Daniel Dobron, Chief Executive Officer  
Pacific West Development  
32823 Temecula Parkway, Suite A  
Temecula, CA 92592

Stuart Chelin  
Sartan-Nahar LLC  
77682 Country Club Drive, Suite A-3  
Palm Desert, CA 92211

The Council **approved** a 15% increase to the Water & Wastewater Capacity Fees. m/s/c Wharton/Campbell 3-2

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

The Council **postponed** the increase to the Development Impact Fees until scheduled to consider again in 2014. m/s/c Nava/Miranda 3-2

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

b. Discussion re: Keystone Planning Area County Service Area (CSA) Formation, Water & Wastewater Planning Studies

The Council **directed staff to continue dialogue** in the spirit of the existing Memorandum of Understanding between the City of Brawley and the County of Imperial.

c. **Resolution No. 2013-14:** Resolution of the City Council of the City of Brawley, California, Declaring an Emergency Ratifying Action Taken by the City Manager & Approval of Emergency Soil Removal at the Transit Transfer Station, was approved, **passed and adopted**. m/s/c Nava/Wharton 5-0 Ayes: All Naves: None Absent: None

d. The Council **approved** the General Plan Annual Progress Report as submitted by staff, and its submission to the California Office of Planning & Research (OPR). m/s/c Miranda/Campbell 5-0

## **DEPARTMENTAL REPORTS & INFORMATIONAL ITEMS**

- a. Record of Building Permits, February 2013, Francisco Soto, Building Official.

## **CITY COUNCIL REPORTS**

**Wharton:** Urged attendance at the Strike Force Public Hearing, Thursday, March 21, 2013. Attended State of the City, Imperial Valley Expo, Naval Air Facility Airshow, DOVES Monte Carlo Night, Library Board meeting and City's Strategic Planning meeting.

**Nava:** None

**Campbell:** Attended Imperial County Transit Commission Transit Stakeholders Focus Group. Thanked City staff.

**Miranda:** Attended work related meetings in Sacramento and State of the City event. Commended the Parks & Recreation Department for our beautiful parks.

**Couchman:** Interviewed by KROP at the IV Expo, attended Overall Economic Development Commission (OEDC) meeting. State of the City went well, appreciated Council Member and city staff attendance. Attended Renewable Energy Summit, 16<sup>th</sup> Annual Air Show, DOVES event, Transit Stakeholders focus group interview, and the City's Strategic Planning meeting.

## **PUBLIC APPEARANCE**

***Hugo Dominguez:*** Referred to an article in the newspaper regarding the Wastewater Treatment Plant and water/wastewater rate increases. Thought the new \$22 million water plant and improvements to the wastewater treatment plant addressed these issues. The people of Brawley should not be paying fees to profit the beef plant. After ten (10) years the "beef plant still smells." Why doesn't the city force the beef plant to comply with the ammonia issues?

The City Manager advised that there is a City Council item for the Regional Board's administrative civil complaint scheduled for today's closed session. Also advised that the water/wastewater capacity fees being discussed tonight were only for new development and not existing customers.

**TREASURER'S REPORT** - None

## **CITY MANAGER'S REPORT**

1. The City Attorney, Finance Director and I met with the County regarding the proposed reduced property values for National Beef. There will be a hearing before the Assessment Appeals Board, April 1, 2013.
2. Thanked the Chamber of Commerce for partnering with the City on the State of the City event.
3. San Diego State University (SDSU), Brawley Campus , Small Business Day & Lender Fair, April 16, 2013, 10:00 AM – 2:00 PM, SDSU Brawley Campus, 560 East Highway 78, Brawley, California

The Council agreed to a sponsorship of the Small Business Day & Lender Fair in the amount of \$250.00.

## **CITY ATTORNEY'S REPORT** – None

## **ADJOURNED TO CLOSED SESSION** 7:50 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

### **LABOR RELATIONS NEGOTIATIONS**

- b. 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.

## **RECONVENE CITY COUNCIL TO OPEN SESSION**

The Council **ratified the Tentative Agreement** between the Teamsters, Chauffeurs, Warehouseman & Helpers Local Union 542 and the City of Brawley, dated March 5, 2013. m/s/c Nava/Miranda 5-0

**ADJOURNMENT** – Next regular meeting, Tuesday, April 2, 2013, 6:00 PM, City Council Chambers, 383 Main Street, Brawley, California.

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***Janet P. Smith***, Deputy City Clerk