

CITY OF BRAWLEY
June 4, 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** @ 6:03 PM

PRESENT: Campbell, Couchman, Nava, Wharton
ABSENT: Miranda

The invocation was offered by **CM Campbell**

The pledge of allegiance was led by **CM Nava**

1. APPROVAL OF AGENDA

The agenda was **approved as submitted.** m/s/c Nava/Wharton 4-0 Miranda absent

2. PUBLIC APPEARANCES

Eddie Camillo stated he got arrested by Imperial County Sherriff and wanted to know where to go to get information. Was advised that he needed to contact the Imperial County Sheriff's Department. He also about his status with the complaint against Brawley Police Department.

CA Morita advised Mr. Camillo that there is a process. The Brawley Police Department will complete its investigation and contact him.

Chief of Police Mark Gillmore introduced Marco Ramirez, Brawley's newest Police Officer. Officer Ramirez comes from Indio and is a six (6) year veteran who served in Iraq and Afghanistan. He stated that he plans to retire from here and will give 110% to his new position.

Detective Brian Smith introduced two (2) Brawley Police Explorers Ryan Araujo and Nelson Jimenez. They provided a power point presentation, mentioned upcoming events that include a carwash as a fundraiser for upcoming summer academy.

CM Nava presented the Brawley Police Explorers with a check.

IVEDC Manager Daniel Fitzgerald urged Council to vote no on SB 434 and the Governor's May Revise proposal to save the Enterprise Zone program. Council gave direction to City Manager to prepare final letter.

3. CONSENT AGENDA

The consent agenda was **approved as submitted:** m/s/c Nava/Wharton 4-0 Miranda absent

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

- a. **Approved** Accounts Payable Registers for the May 16, 2013, May 23, 2013 and May 29, 2013 meetings.
- b. **Adopted** Resolution No. 2013-29: Resolution of the City Council of the City of Brawley, California Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 5, 2013 for an Election of Certain Officers as required by the Provisions of the Laws of the State of California Relating to General Law Cities.
- c. **Adopted** Resolution No. 2013-30: Resolution of the City Council of the City of Brawley, California Requesting the Board of Supervisors of the County of Imperial to Consolidate a General Municipal Election to be held on November 5, 2013, with the School Election to be held on date pursuant to §10403 of the Elections Code.

4. REGULAR BUSINESS

- a. Review and adopt the 2012 Water Master Plan and the 2013 Wastewater Master Plan as prepared by Psomas.

Staff Report - Yazmin Arellano, Public Works Director

The City of Brawley Water, Wastewater and Storm water Master Plan provide a comprehensive review and evaluation of the City of Brawley's distribution and collection systems under existing and ultimate building conditions the purpose of a Master Plan is to evaluate the system's capacity accesses its existing condition, and develop a Capital Improvement Program (CIP) for the rehabilitation and expansion of the distribution and collection systems.

The council **approved** the adoption of the 2012 Water Master Plan and ant the 2013 Wastewater Master Plan as prepared by Psomas. **m/s/c Campbell/Nava 4-0 Miranda absent**

- b. Review and Approve 1st Reading of Ordinance No. 2013-03: Ordinance of the City Council of the City of Brawley, California Sewer Use Ordinance for Users of the Publicly Owned Treatment Works.

**Staff Report - Yazmin Arellano, Public Works Director
Power Point Presentation - Dave Bachtel of Lee & Ro**

The objectives of the proposed ordinance are:

- Prevent introduction of pollutants into the publicly owned treatment works (POTW) that will interfere with operation.
- Prevent introduction of pollutants into POTW that could pass through, inadequately treated, into receiving waters, or otherwise be incompatible with POTW.
- Protect POTW personnel and public who may be affected by wastewater and sludge in course of employment.
- Promote reuse and recycling of industrial wastewater and sludge from the POTW.
- Provide for fees for equitable distribution of cost of operation, maintenance & improvement of the POTW. Regulated industries should share the cost of the IPP.

Key elements considered are:

- Legal authority
- Local limits
- Identification of non-domestic users
- Compliance monitoring and enforcement program
- Permitting procedures
- Pollutants of concern
- Conformance with EPA and the California Regional Water Quality Control Board requirements

CA Morita informed the City Council that a comment letter dated June 4, 2013 was submitted by Parthenia B. Evans of Stinson Morrison Hecker LLP re: Comments of National Beef California, LP on Proposed Sewer Use Ordinance for Users of the Publicly Owned Treatment Works.

The City Council was provided copies with additional copies available to the public.

The Council **approved** the 1st Reading of Ordinance No. 2013-03: Ordinance of the City Council of the City of Brawley, California Sewer Use Ordinance for Users of the Publicly Owned Treatment Works. **m/s/c Wharton/Campbell 4-0 Miranda absent**

AYES: Campbell, Couchman, Nava, Wharton
NOES: None

ABSTAIN: None
ABSENT: Miranda

5. DEPARTMENTAL REPORTS

- a. Monthly Staffing report, June 2013 – Shirley Bonillas, Personnel & Risk Management Administrator. The City Council provided unanimous direction to continue to provide monthly reports in 2013/2014. Since the City’s budget is now in a balanced state, it is no longer necessary to hold recruitment and formal hire until City Council provides concurrence.
- b. Marjo Mello, Brawley Public Library Director announced that the LAMBS Program was awarded a two year grant of \$194,000; announced Summer Hours for Public Library and Del Rio Branch; reviewed upcoming Summer Program.

6. CITY COUNCIL REPORTS

Wharton: Wanted to congratulate the Class of 2013.

Nava: Attended the ribbon cutting for Kotori; thanked staff and mentioned to stay safe at your workplace due to the heat.

Campbell: Attended the ribbon cutting for Kotori, SCAG and thanked staff for their hard work.

Miranda: Absent

Couchman: Attended Brawley Chamber Board Meeting; ribbon cutting for Cattle Call Park and Kotori; attended California Transportation Foundation event in Sacramento where Brawley Bypass project was recognized; joined CM Nava at a meeting with National Beef.

7. TREASURER’S REPORT None

8. CITY MANAGER’S REPORT

- a. Investment deposits are moving forward with Community Valley Bank and Sun Community Federal Credit Union.
- b. Applied to Department of Justice for two School Resource Officers; application included a waiver request for 3 years at 75% federal and 25% local.
- c. Inquired about scheduling a “dark” August. It was the consensus of the City Council to proceed as requested unless a time sensitive item arises.

- d. Will meet with Superintendent of BUHS regarding shared maintenance responsibilities for Weist Field. The topic will return to Council for future consideration.

9. CITY ATTORNEY'S REPORT None

10. ADJOURNED TO CLOSED SESSION 7:36 PM

ANTICIPATED LITIGATION

- a. Conference with Legal Counsel; Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9; five (5) Potential Cases

EXISTING LITIGATION

- b. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)
 - 1. Jupiter Ventures vs. City of Brawley

ADJOURNMENT Next Regular Meeting, *Tuesday, June 18, 2013 @ 6:00 PM*, City Council Chambers, 383 Main Street, Brawley, California.

Alma Benavides, City Clerk