

**CITY OF BRAWLEY**  
**July 31, 2012**

The City Council of the City of Brawley, California met in adjourned 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 Nava** @ 6:01 PM

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

The invocation was offered by Council Member Campbell.

The pledge of allegiance was led by Mayor Nava.

**APPROVAL OF AGENDA**

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

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|---------------|--|
| Item No. 3(b) | Accounts Payable for July 11, 2012, July 12, 2012 and July 19, 2012 was <b>removed from the consent agenda</b> for regular discussion/action.  |
| Item No. 3(d) | Award Bid for Project No. 2012-16: Emergency Operations Center & Police Department Painting & Flooring Remodel was <b>removed from the consent agenda</b> for regular discussion/action. |

1. **PUBLIC APPEARANCES/COMMENTS**            There were no public appearances.

2. **DEPARTMENTAL REPORTS**

a. Monthly Staffing Report as submitted by Shirley Bonillas, Personnel & Risk Management Administrator.

In the absence of Ms. Bonillas, Rosanna Bayon Moore advised that we had initiated in house recruitment of a firefighter and dispatcher; and were testing for a dispatcher. The Wastewater III applicant has accepted the position and will begin work the 1<sup>st</sup> week of August. Richard Rubio has been appointed as interim Parks & Recreation Director.

Mayor Nava asked what the plans were for the Parks Supervisor position.

The City Manager stated that options were to fill, freeze, or the responsibilities could be assumed by the Parks & Recreation Director position. It was the consensus of the Council to freeze the position.

- b. The City Manager provided an update regarding a \$500,000 Award of Grant by the North American Development Bank to repair the aging and failing sewer lift station #2. Repairs will also be made to Lift Station #1. The project must be delivered within a 9 month window.

#### 4. **CONSENT AGENDA**

The consent agenda was **approved**. m/s/c Campbell/Miranda

**AYES:** Campbell, Couchman, Kelley, Miranda, Nava  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** None

- a. **Approved** City Council Minutes for July 17, 2012 .
- b. **Adopted** the Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Goal for FY 2012-2013 as submitted by staff.
- c. **Approved** 2<sup>nd</sup> Amendment to Loan Agreement for Carl & Merry Haynes and Sheila & Ted Riley dba The Rock Coffee Shop & Café.
- d. **Approved** Contract with Moss, Levy & Hartzheim in an Amount Not to Exceed \$25,500 for Accounting Services for Year End Close FY 2012-2013.

#### 5. **REGULAR BUSINSS**

- a. Accounts Payable Registers for July 11, 2012, July 12, 2012 and July 19, 2012.

The City Manager explained that additional detail for the expenditures have been added by fund and department.

The Accounts Payable Registers were **approved** as submitted. m/s/c Miranda/Couchman 5-0

- b. Bid Award for Project No. 2012-16: Emergency Operations Center & Police Department Painting & Flooring Remodel

Bids opened July 30, 2012. One (1) bid was received. Values were beyond the staff estimate.

The Council **rejected the bid** for Emergency Operations Center & Police Department Painting & Flooring Remodel. m/s/c Miranda/Couchman 5-0

Staff will re-evaluate the project description and project approach for potential cost savings. Staff agreed to update the City Council at September 4, 2012 meeting.

c. Review and Approve Second Tier Retirement Benefit Policy for New Hires

c(1) The Council **approved** the Second Tier Retirement Benefit Policy for New Hires. m/s/c Nava/Miranda

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

c(2) **Resolution No. 2012-31:** Resolution of the City Council of the City of Brawley Relating to New Employees not Represented by a Recognized Bargaining Unit Regarding Payment of CalPERS Member Contributions (Approving Second Tier Retirement Benefit Policy for New Hires; City of Brawley 0% of Member Contributions effective August 1, 2012) was **approved, passed and adopted.** m/s/c Nava/Couchman

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

d. **Resolution No. 2012-32:** Resolution of the City Council of the City of Brawley Relating to Employees Represented by the Brawley Firefighters Association Local 1967 Bargaining Unit Regarding Payment of CalPERS Member Contributions (9% of the Employee Portion of CalPERS Beginning August 1, 2012) was **approved, passed and adopted.** m/s/c Miranda/Campbell

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

e. **Resolution No. 2012-33:** Resolution of the City Council of the City of Brawley Relating to the City Manager's Payment of CalPERS Contributions (7% of the Employee Portion of CALPERS Beginning August 1, 2012) was **approved, passed and adopted.** m/s/c Nava/Campbell

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

- f. Consideration of Potential Future Relinquishment of State Highway 86 from .3 miles South of Legion Road to City of Brawley West City Limits

Staff Presentation: Rosanna Bayon Moore  
Mark Baza, Imperial County Transportation Commission (ICTC)

**Authorized** Mayor, City Manager or designated person, to write a letter to CalTrans indicating interest in preparation of a Project Scope Study Report (PSSR) to analyze the status of conditions related to SR 86 and Potential Future Relinquishment of State Highway 86 (from .3 Miles South of Legion Road to City of Brawley West City Limits) m/s/c Nava/Miranda 5-0

The Project Scope Study Report (PSSR) is the basis for future negotiations with the State of California and that relinquishment cannot be imposed in the absence of a negotiated settlement to which the City of Brawley agrees.

- g. **Resolution No 2012-04:** Resolution of the City Council of the City of Brawley, Acting in Its Capacity as the Successor Agency for the Brawley Community Redevelopment Agency, Approving the Recognized Obligation Payment Schedule for the Period of January Through June 2013 & Approving Certain Related Actions, was ***approved, passed and adopted.*** m/s/c Campbell/Couchman 5-0

- h. Review & Authorize Letter of Convenience & Necessity to Department of Alcoholic Beverage Control Zoning Affidavit, Dollar Tree Stores Inc., 283 Main Street

**Authorized** City Manager to execute a Letter of Public Convenience & Necessity to Department of Alcoholic Beverage Control for Dollar Tree Stores, Inc. at 283 Main Street, **subject to the condition** that applicant will install high quality digital recorders that are accessible to law enforcement upon request. m/s/c Campbell/Couchman 5-0

**6. INFORMATION ITEM**

- a. Building Permits Summary for June 2012 – Francisco Soto, Building Official

**7. COUNCIL MEMBER REPORTS**

**Miranda:** Attended La Raza Annual Conference, July 7-11, 2012. Met with Hispanic markets targeting Southern California.

**Kelley:** Met with Steven Moffet, F35 Task Force. Requested City recognition for a Brawley resident, Sheila Riley, who risked her own life to rescue a person having difficulty after her vehicle went into the Central Main Canal.

**Campbell:** Attended Sunrise Powerlink dedication.

**Couchman:** Attended Chamber of Commerce Mega Mixer and the showcase of Brawley businesses. Met with new business prospects. Need to address parking on Main Street. Some vehicles are parked there all day. Visited Lion's Center Summer Youth Program

**Nava:** Thank you City staff for handling the many complaints from residents with all the rain fall. Also attended the Mega Mixer. Visited with Laser Engraving, a new business. Attended an ICT meeting. Progress is on track for the CalTrans Brawley By-Pass. Ribbon cutting mid October. Del Taco & adjoining projects will be complete by August 7<sup>th</sup>.

8. **CITY MANAGER**

- a. Met with Public Works Director, Ruben Mireles and Imperial Irrigation District Energy staff, regarding removal of trees on Main Street. (22 Palms) There are age and height problems. August removal schedule. Determine if to replace the trees and with what kind of tree. Maximum height 30' is or less. City will be responsible for maintenance. The IID will not be responsible for maintenance. Staff is concerned with maintenance. There could be irrigation problems.
- b. City Council meetings are scheduled to be dark for the month of August.
- c. I plan to be on vacation for the week of August 6-10, 2012. Ruby Walla will be interim city manager while I am out.

8. **CITY ATTORNEY**

Update on 1592 East A Street: City previously initiated eminent domain for street work for this property. The problem was some of the owners were deceased. The property is now in receivership. It is important to make sure there is proper noticing; then the costs incurred becomes priority. Within a week or so we can move forward.

The City Manager reported that the estimates for clean up were \$2,500-\$11,300.

**8. ADJOURNED TO CLOSED SESSION 7:08 PM**

- a. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a): City of Brawley vs. La Paloma
- b. Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Subdivision 9(b) of Section 54956.9: (1 potential case)
- c. Conference with Labor Negotiator  
Agency Designated Representative: Rosanna Bayon Moore  
Employee Organization

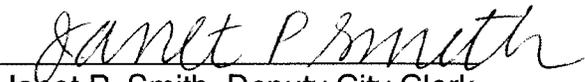
(1) Brawley Firefighters Local No. 1967

**9. RECONVENE IN OPEN SESSION 7:45 PM**

**10. REPORT OF ACTION FROM CLOSED SESSION**

The Council unanimously **ratified approval** of an agreement with the Brawley Firefighters Local No. 1967 m/s/c Nava/Campbell 5-0

**ADJOURNMENT** Next Regular Meeting, **Tuesday, September 4, 2012, @ 6:00 PM**

  
Janet P. Smith, Deputy City Clerk