

**CITY OF BRAWLEY**  
**September 16, 2013**

The City Council of the City of Brawley, California met in an 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 Couchman @ 6:00 PM**

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

The invocation was offered by **CM Campbell.**

The pledge of allegiance was led by **CM Wharton.**

**1. APPROVAL OF AGENDA**

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

**Item 3 b** Approve the Purchase of Ultra Violet (UV) Lamps and Ballasts from DC Frost Associate, Inc. for Wastewater Treatment Plant (WWTP) Disinfection System in an amount not to exceed \$45,200.

**2. PUBLIC APPEARANCES**

- a. Luis Olmedo, Executive Director of Comite Civico del Valle requested a letter of support from the City of Brawley for a research project regarding uncontrolled asthma in Imperial Valley. The project is being pursued by San Diego State University, in partnership with Clinicas de Salud and Comite Civico del Valle, The City Council provided direction to the City Manager to prepare a letter on behalf of the City for the Mayor's signature.
- b. Shirley Bonillas, Personnel and Risk Administrator introduced new staff: Alejandro Labastida, Mechanic; Dane Wilkinson, Police Officer; and Juan Morales, Dispatcher.

**3. CONSENT AGENDA**

The consent agenda was **approved as submitted.** m/s/c Campbell/Miranda 5-0

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

- a. **Approved** Accounts Payable Registers for August 29, 2013; September 5, 2013; and September 6, 2013.

#### **4. REGULAR BUSINESS**

- a. Approve the Purchase of Ultra Violet (UV) Lamps and Ballasts from DC Frost Associate, Inc. for Wastewater Treatment Plant (WWTP) Disinfection System in an amount not to exceed \$45,200.

The City Council **approved** the Purchase of Ultra Violet (UV) Lamps and Ballasts from DC Frost Associate, Inc. for Wastewater Treatment Plant (WWTP) Disinfection System in an amount not to exceed \$45,200. m/s/c Nava/Campbell 5-0

- b. Review and City Council Direction re: SB 1022 North County Day Reporting Center/Re-Entry Facility Concept for 121-149 South Eighth Street, Presented by Imperial County Sheriff Raymond Loera and Jamie L. Clayton, CJM, Chief Deputy of Corrections.

The City Council **approved and directed** the City Manager to draft a letter for the Mayor's signature in support of SB1022 funds being pursued by the Imperial County Sheriff's Office for the proposed project site at 121-149 South Eighth Street in the City of Brawley. m/s/c Wharton/Nava 5-0

- c. Review and Action re: Brawley Elks Lodge request to sell and consume alcohol on a City Street from Friday, November 8, 2013 to Sunday, November 10, 2013 as part of the annual Cattle Call Festivities.

The City Council noted an amendment to the date referenced in the staff report to include November 10, 2013 and **approved** the Brawley Elks Lodge to sell and consume alcohol on a City Street from Friday, November 8, 2013 to Sunday, November 10, 2013 as part of the annual Cattle Call Festivities. m/s/c Campbell/Nava 5-0

- d. Review and Action re: Brawley Chamber of Commerce request to sell and consume alcohol on a City Street on Saturday, November 2, 2013 and Wednesday, November 6, 2013 as part of the annual Cattle Call Festivities.

The City Council **approved** the Brawley Chamber of Commerce request to sell and consume alcohol on a City Street on Saturday, November 2, 2013 and Wednesday, November 6, 2013 as part of the annual Cattle Call Festivities. m/s/c Campbell/Nava 5-0

- e. Review and Action re: Resolution No. 2013-52: Resolution No. 2013- : Resolution of the City Council of the City of Brawley, California Approving Submittal of Application for Imperial County Air Pollution Control District (ICAPCD) Rule 310 Operational Development Fee Goals and Objectives.

The City Council **approved** Resolution No. 2013-52: Resolution of the City Council of the City of Brawley, California Approving Submittal of Application for Imperial County Air Pollution Control District (ICAPCD) Rule 310 Operational Development Fee Goals and Objectives **was approved, passed and adopted**. m/s/c Campbell/Miranda 5-0

- f. Review and Action re: Resolution No. 2013 - : Resolution of the City Council of the City Brawley, California Establishing Bond Settlement Priorities for La Paloma Subdivision.

The City Council **approved** Resolution No. 2013-52: Resolution of the City Council of the City Brawley, California Establishing Bond Settlement Priorities for La Paloma Subdivision **was approved, passed and adopted**. m/s/c Campbell/Nava 5-0

## **5. DEPARTMENTAL REPORTS**

- a. Richard Rubio, Parks & Recreation Director – Summer Program Statistics
- b. Marjo Mello, Library Director – Summer Reading Activities
- c. Yazmin Arellano, Public Works Director – September 9, 2013 Storm Impacts

## **6. INFORMATIONAL REPORTS**

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

## **7. CITY COUNCIL REPORTS**

**Wharton:** Noted great response and quick action by staff for storm related problems; attending the League of California Cities Annual Conference.

**Nava:** Thanked staff for a great job; looking forward to the California League of Cities Annual Conference.

**Campbell:** Attended SCAG meeting in Los Angeles last week; thanked City Staff for their hard work.

**Miranda:** Attended the Annual 16 de Septiembre event at the Hidalgo Society.

**Couchman:** Noted great work after storm. Reported on media interviews regarding award of CDBG funds for Manhole Rehabilitation and Fire Apparatus.

## **8. CITY MANAGER'S REPORT**

- a. Provided update on \$2M CDBG award of funds.

- b. Office of Senator Ben Hueso wants to hold a public event in coordination with City of Brawley and City of Westmorland to present checks to both cities. The date is to be determined.
- c. Notification regarding Department of Justice application for two School Resource Officer positions is anticipated shortly.
- d. At next meeting, the HERO Program presentation and Allied Waste street sweeping subjects are scheduled.

**9. TREASURER’S REPORT** None

**10. CITY ATTORNEY’S REPORT** None

**11. CITY CLERK’S REPORT** None

**12. ADJOURNED TO CLOSED SESSION** @ 7:30 PM

**ANTICIPATED LITIGATION**

- a. Conference with Legal Counsel – Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9. There are four (4) potential cases.

**EXISTING LITIGATION**

- a. Conference with Legal Counsel – Existing Litigation Paragraph (1) of subdivision (d) of Government Code Section §54956.9.
  - 1. Administrative Civil Liability Complaint R7-2013-0028 City of Brawley Wastewater Treatment Plant.
  - 2. Jupiter Ventures vs. City of Brawley.
  - 3. John Canaries vs. City of Brawley.

**LABOR RELATIONS NEGOTIATIONS**

- a. 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. Brawley Firefighters Local No. 1967.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8)

- a. Conference with Real Property Negotiators  
Property: Abe Gonzales Park  
Agency Negotiator: Rosanna Bayon Moore, City Manager  
Negotiating party: M&M Telecom, Inc. (Verizon)  
Under negotiation: price and terms of payment
- b. Conference with Real Property Negotiators  
Property: Hinojosa Park  
Agency Negotiator: Rosanna Bayon Moore, City Manager  
Negotiating party: AT & T  
Under negotiation: price and terms of payment

PERSONNEL MATTERS (G.C. Section 54957)

- a. Public Employee Performance Evaluation  
Title: City Manager

RECONVENED IN OPEN SESSION

- a. The Brawley City Council and Brawley Firefighters' Association hereby agree that effective January 1, 2013, all new members, as defined by California Public Employee's Pension Reform Act (PEPRA) shall be subject to the following retirement formula: 2.7% @ 57. Such new members shall pay 50% of the normal cost as defined by PEPRA. That rate is currently 11.50% to the new member and 11.50% to the City. m/s/c Campbell/Nava 5-0

ADJOURNMENT Next Regular Meeting, **Monday, October 1, 2013 @ 6:00 PM**, City Council Chambers, 383 Main Street, Brawley, California.

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**Alma Benavides**, City Clerk