

**CITY OF BRAWLEY**  
**October 16, 2012**

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 Nava @ 6:00 PM

**PRESENT:** Campbell, Miranda, Nava  
**ABSENT:** Couchman, Kelley

The invocation was offered by Council Member Campbell.

The pledge of allegiance was led by Julio Rivera, Brawley Fire Department

**APPROVAL OF AGENDA**

The agenda was **approved as submitted.** m/s/c Campbell/Miranda 3-0 Couchman and Kelley absent.

**1. PUBLIC APPEARANCES**

**Jay Kruger**, President of Brawley Beautification Inc. requested that staff review the clutter in front of the stores and Main Street.

**Virginia Smith**, G.P. Awards & Promotions, 141 South 6<sup>th</sup> Street: Small business owner, thanked the Council for the welcome to the community at the July mixer. The business has various types of awards and engraving. Plans to bring promotional products to the valley. Does have a concern that her business is in the midst of the recent fires and with graffiti. She also advised Council about stop signs within the city blocked by trees.

**Carmen Araujo**, 1065 K Street: Inquired about the property next door to her sons house in the 1500 Block of A Street, and the status for clean-up.

The City Attorney advised that the pleadings are in process and appointment of a receiver to abate the nuisance on several properties with nuisances. The process is in progress, but parties require proper notice for certain.

**Charlene Wardlow, ORMAT Nevada Inc.** gave an update on the Brawley Geothermal Development Project north of Brawley. She gave a brief presentation on ORMAT Nevada Inc.'s credentials and the many projects in the valley and the

world. She spoke to the August 2012 earthquake swarms and their relationship to geothermal activity.

**2. SPECIAL PRESENTATION**

- a. Chuck Peraza, Interim Fire Chief, introduced new firefighter, Julio Rivera. Mr. Rivera has been with the Fire Department for four years as a call paid firefighter. He has taken classes to get his degree in fire sciences. Jay Kruger, Brawley Safety Committee, was present to congratulate him.

Mr. Rivera's mother pinned him with the official firefighter's badge

Janet Smith, Deputy City Clerk, gave the oath of office to Firefighter Julio Rivera.

**3. CONSENT AGENDA**

The consent agenda was **approved as submitted:** m/s/c Miranda/Campbell 3-0 Couchman and Kelley absent.

- a. The Accounts Payable Registers were **approved** for September 4, 2012 and October 4, 2012
- b. **Rejected Claim** for Phillip Gonzales vs. City of Brawley as recommended by Carl Warren & Company
- c. **Authorized** City Manager to Execute Deed Restriction for Alyce Gereaux Park
- d. **Approved** 3 Year Microsoft Enterprise Volume Software Licensing Agreement Between the City of Brawley & Operating System Licenses in the Amount of \$28,457 Per Year
- e. **Approved** Grapefruit Drive Rehabilitation Project, Specification No. 2012-06, Change Order No. 1 in the Amount of \$15,733.73
- f. **Resolution No. 2012-41** : Resolution of the City Council of the City of Brawley Relating to Employees Represented by the Brawley Police Sergeants Association Bargaining Unit Regarding Payment of CalPers Member Contributions was **approved, passed and adopted.**

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

- g. **Authorized** City Manager to Execute Property Access Agreement with Chevron Environmental Management Company for North Yard (APN 047-060-044)
- h. **Authorized** City Manager to Extend Terms of Memorandum of Understanding with ORMAT Nevada Inc. for final one (1) year extension to October 31, 2013.
- i. **Authorized** City Manager to Execute Landscaping Maintenance Agreement with CalTrans for Sun Community Federal Credit Union Property Located at 1080 South Brawley Avenue

4. **REGULAR BUSINESS**

- a. **Resolution No. 2012-42:** Resolution of the City Council of the City of Brawley to Continue Proclamation of Local Emergency, was **approved, passed and adopted.** m/s/c Nava/Miranda

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

- b. Update re: Recent Fire Events in the City of Brawley

Staff report: Rosanna Bayon Moore, City Manager  
 Yazmin Arellano, Public Works Director  
 Francisco Soto, Building Official  
 Gordon Gaste, City Planner

Arellano reported that demolition of the Superior Furniture site will commence October 17th. North Plaza will be closed in addition to one Main Street. The City Manager stated that Cal Trans will keep second lane open.

Re: 8<sup>th</sup> & G Streets: City staff has addressed the concerns of the Green Patch Nursery. The closure has also had a significant negative impact on El Sol Market.

It has been reported that the owners of the property are deceased. The property is scheduled for sale February 2013 by the County of Imperial as a result of unpaid taxes dating back to 2006.

Discussion followed on proposed ways to deal with the problem and get 8<sup>th</sup> Street re-opened.

The Council **instructed the city manager** to obtain costs for partial demolition and fencing for this property and to submit her findings at the October 23, 2012 special meeting for consideration.

5. **DEPARTMENTAL REPORTS**

- a. Memorandum re: Six Month Update on Credit Card Processing at Various City Locations – Ruby Walla, Finance Director
- b. City of Brawley Abandoned Vehicle Abatement Progress Report, September 2012; Record of Building Permits, September 2012 – Francisco Soto, Building Official

6. **COUNCIL MEMBER REPORTS**

- a. Miranda – Attended Air Pollution Board meeting. Developing new ordinance to address farm equipment and the creation of fine dust; attended Annual Democratic Central Committee dinner at which Congressman Filner was honored; Imperial Irrigation District Candidates Forum and the 90<sup>th</sup> Anniversary of the Hidalgo Society.
- b. Campbell – Thanked staff for City of Brawley plaque to honor Congressman Filner.
- d. Nava – Reminders: October 18, 2012, Brawley By-Pass Opening; Sun Community opening, October 17<sup>th</sup>; Parks & Recreation Del Rio Park Lighting October 22<sup>nd</sup>. Thanked staff.

7. **TREASURER'S REPORT**           None

8. **CITY MANAGER'S REPORT**

- a. Need to set a date and place for Council re-organization
- b. Following discussion with City Council, service awards for City staff will be scheduled for a December City Council meeting.

9. **CITY ATTORNEY REPORT**           None

10. **CLOSED SESSION**           Adjourned to closed session at 7:15 PM

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

- b. Conference with Labor Negotiator  
Agency Designated Representative: Rosanna Bayon Moore  
Employee Organizations:
  - 1. Brawley Police Sergeants Association
  - 2. Brawley Public Safety Employees Association

**RECONVENE OPEN SESSION**

Reported that the Council ratified a tentative agreement with the Brawley Police Sergeants Association. 3-0 Couchman and Kelley absent.

**ADJOURNMENT** Adjourned to October 23, 2012 @ 5:30 PM., City Council Chambers, 383 Main Street, Brawley, California. Special Joint meeting with the Planning Commission.

  
Janet P. Smith, Deputy City Clerk