

CITY OF BRAWLEY
October 23, 2012

The City Council of the City of Brawley, California met in special Joint Session with the Brawley Planning Commission at 5:30 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 @ 5:30 PM**

City Council

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

Planning Commission

PRESENT: Bumbera, Goyal, Hutchinson, Marquez, Sagredo, Smith
ABSENT: Reyes (Entered meeting at 6:30 PM)

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 submitted: m/s/c Miranda/Campbell

City Council:	Approved 5-0
Planning Commission	Approved 6-0 Reyes absent

PUBLIC APPEARANCES/COMMENTS

There were no public appearances.

CITY COUNCIL & PLANNING COMMISSION REGULAR BUSINESS

1. **PUBLIC HEARING**

Condition Modification for a Condominium Map & Site Plan (TM06-04/SP06-07) Submitted by Sartan Nahar LLC (Florentine Estates, formerly Springhouse); Property Location: 451 Panno Drive, Brawley, California; Legally Described as: Lots 1 & 2, Springhouse at Brawley, City of Brawley, County of Imperial, State of California; APN 048-260-096 & 097. Currently Zoned R-3 and Consists of 17.67 Acres. The Applicant is Requesting to Change the Conditions of Approval Allowing for Construction of 60 Units Prior to the Completion of Panno Drive to

Brawley Avenue (SR86).

Opened Public Hearing @ 5:40 PM

Staff report – Rosanna Bayon Moore, City Manager

Public Input:

Mario Gonzales – Florentine Estates
Stuart Chelin – Sartan Nahar LLC
Steve Hyman – Sartan Nahar LLC
Bill Darnell, Darnell & Associates

Lydia Clayton, 820 Willard Avenue
Nickie Eugenio, (Adjacent to subject property)
Catalina Santillan, 802 Chaparrel Court
Orlando Foote, Attorney for Pioneers Memorial Hospital District

Kevan Hutchinson, 649 Willard Avenue (Planning Commissioner recused himself from formal discussion/voting; declared conflict of interest due to ownership of property within the project area and left the Council Chambers.

The City Attorney asked Planning Commissioner Darren Smith if he might have a conflict of interest. Mr. Smith works for Smith-Kandal, which has done business with Mr. Steve Hyman. Mr. Smith stated that he was a real estate broker for Smith-Kandal, but worked solely on a commission basis and had no dealings with Mr. Hyman.

Planning Commissioner Eric Reyes entered the meeting @ 6:30 PM.

Closed Public Hearing @ 6:55 PM

The Planning Commission **recommends** to Council that the Condition Modification Allowing for Construction of **60 Units** Prior to the Completion of Panno Drive to Brawley Avenue (SR86) be approved by the Council. m/s/c Reyes/Sagredo The **motion failed** 3-3

AYES: Goyal, Reyes, Smith
NAYES: Bumbera, Marquez, Sagredo
ABSTAIN: None
ABSENT: None

(Commissioner Hutchinson declared a conflict of interest and recused himself from discussion/voting earlier in meeting and left the Council Chambers)

The Planning Commission **recommended** to Council that the Condition Modification Allowing for Construction of **40 Units** Prior to the Completion of Panno Drive to Brawley Avenue (SR86) be approved.
m/s/c Reyes/Marquez 6-0

AYES: Bumbera, Goyal, Marquez, Reyes, Sagredo, Smith
NAYES: None
ABSTAIN: None
ABSENT: None
(Commissioner Hutchinson declared a conflict of interest and recused himself from discussion/voting earlier in meeting and left the Council Chambers)

The Council **approved** the Condition Modification Allowing for Construction and Occupancy of **60 Units** Prior to the Completion of Panno Drive to Brawley Avenue (SR86) m/s/c Miranda/Nava 3-2

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

There being no further business for the Planning Commission, their meeting was adjourned at 6:59 PM.

Recessed at 7:00 PM

City Council reconvened at 7:20 PM

2. **CITY COUNCIL REGULAR BUSINESS**

- a. Discussion & Action Regarding Substantive Modification to Reimbursement Agreement Between City of Brawley, Panno & Highway 86 Associates (Capstone) & Sartan-Nahar LLC (Florentine Estates)

Staff report – Rosanna Bayon Moore, City Manager

The City Manager highlighted two key changes to the proposed reimbursement agreement between the City of Brawley, Sartan Nahar, LLC and Capstone.

- (1) The developers have requested a cap on the maximum financial exposure associated with CalTrans Improvements plus the developers have requested the benefit of costs savings if achieved.

- (2) Developer is obligated to initiate work on Phase II (remainder of Panno) within 60 days of Notice to Proceed for CalTrans improvements and completion within 180 days.

The Council **approved** the proposed measures as submitted by the City Manager. m/s/c Kelley/Campbell 4-1 Couchman voting in the negative.

- b. Discussion & Action Regarding Applicable City of Brawley Development Impact Fees & Water & Wastewater Capacity Fees for Sartan Nahar LLC (Florentine Estates)

- (1) The developers proposed that City of Brawley current applicable fees be applied to next 60 units.

The Council **approved** the proposal as submitted. m/s/c Miranda/Campbell 5-0

- c. Discussion & Action Regarding Partial Demolition & Fencing Activities for APN 049-023-007 Located at Northwest Corner of 8th & G Streets

The Council **approved** partial demolition and fencing for property located at the northwest corner of 8th & G Streets (APN 049-023-007) and directed the City Manager to proceed with the project. (Elms Equipment Rental at a proposed cost of \$60,395.00). m/s/c Nava/Kelley 5-0

- d. **Resolution No. 2012-43:** Resolution of the City Council of the City of Brawley, California, Authorizing the Extension of the Abandoned Vehicle Abatement Program Until March 31, 2023, was **approved, passed and adopted.** m/s/c Nava/Miranda 5-0

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

ADJOURNMENT 8:03 PM


Janet P. Smith, Deputy City Clerk