

CITY OF BRAWLEY
November 20, 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, Couchman, Miranda, Nava
ABSENT: None

The invocation was offered by Council Member Campbell.

The pledge of allegiance was led by Jim Hamilton, City Treasurer.

APPROVAL OF AGENDA

The agenda was ***approved with a clarification to the October 23, 2012 minutes.***
m/s/c Miranda/Campbell 4-0

The City Manager advised that the following minute order included a phrase not referenced in the actual Council motion of the 10-23-2012 Adjourned Meeting, but was included in minutes to reflect the actual intent of the agenda item.

“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)”

PUBLIC APPEARANCES

Don Wharton, Reach Air Medical, thanked the Council for the honor of participating with them to bring Sergio Romo, San Francisco Giants, and World Series Participant, to the Wildcat Bell Game on November 2, 2012.

CONSENT AGENDA

The consent agenda was approved as follows: m/s/c Campbell/Miranda 4-0

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

- a. **Approved Minutes** for the October 23, 2012 Adjourned Meeting (with clarification stated by City Manager) and the November 6, 2012 meeting.
- b. **Approved Accounts Payable** for November 1, 2012 and November 8, 2012.
- c. **Approved** Final Tract Map for Garcia Subdivision Unit No. 1.
- d. **Ordinance No. 2012-05:** Ordinance of the City Council of the City of Brawley Amending Chapter 17 of the Brawley Municipal Code Relating to Firework Stands, was **approved for 2nd Reading** and adoption.

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

- e. **Ordinance No. 2012-06:** Ordinance of the City Council of the City of Brawley Establishing an Angle Parking Zone (Westerly side of North Plaza Street between Main Street & E Street) was **approved for 2nd Reading** and adoption.

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

- F. Approved the Purchase of Four (4) Marked Patrol Vehicles for the Police Department in the Amount of \$100,608 from Wondries Ford.

REGULAR BUSINESS

- a. Discuss & Determine Process to Fill City Council Vacancy for Term Expiring November 2015.

Approved filling City Council vacancy by application/appointment process.

Deadline to receive applications, November 28, 2012 @ close of business (5:30 PM); candidates statements and appointment at a meeting to be scheduled for December 3, 2012 @ 6:00 PM. m/s/c Nava/Miranda 4-0

- b. Consideration & Potential Action Re: County of Imperial Request for Transient Occupancy Tax Waiver for Residents Displaced by August 2012 Swarm of Earthquakes.

The Council **approved** a \$5,000.00 financial contribution, in lieu of transient occupancy tax (TOT) waiver, to the County of Imperial for the expressed purpose of providing temporary housing assistance in the month of December 2012 for Noriega Park residents displaced by the August 2012 swarm of earthquakes. m/s/c Miranda/Campbell 4-0

DEPARTMENTAL REPORTS & INFORMATIONAL ITEMS

- a. Monthly Staffing Report – Shirley Bonillas, Personnel/Risk Management Administrator

Reported Parks Maintenance position vacancy. Requested to fill by in-house recruitment.

The Council authorized staff to advertise the vacancy as an in-house recruitment. The vacancy that will result is to be filled by a temporary worker until the next budget year. m/s/c Campbell/Miranda 4-0

Discussion followed regarding the condition of Wiest Field and future renovations and maintenance of City Parks. Discussion followed regarding development of a joint use agreement with Brawley Union High School.

- b. Update Re: Due Diligence Review Per AB1484 for Low to Moderate Income Housing Fund & California Department of Finance Determination Ruby Walla, Finance Director

Moss, Levy & Hartzeim conducted a due diligence review per AB1484 which resulted in \$1.9 million returned to the County to be redistributed to taxing entities. The City of Brawley will receive a portion. There were no changes or adjustments after Department of Finance review. There will be another review December 15, 2012.

Council Member Couchman received a report from the County Auditor, that the City of Brawley was the only entity who met the deadline.

- c. Record of Building Permits October 2012; Update Re: Partial Demolition of APN 049-023-007 Located at Northwest Corner of 8th & G Streets. Francisco Soto, Building Official

The City Manager reported on the demolition project at 8th & G Streets to eliminate the hazards to traffic and pedestrians. The arcade and façade were the immediate hazards. A power point presentation was provided to show the hazard before and work done after the demolition. The work was completed just before the Cattle Call activities. The City is reviewing options for additional work for remainder of the building, along with the Department of Toxics & Substance Control (DTSC) to address asbestos hazards. It was determined that there was no asbestos in the arcade/façade area, however, a subsequent assessment was initiated for the remainder of the building. Results will be in next week. DTSC will work with the City for funding through penalty funds established. These funds will pay the City back for asbestos assessments. Mitigation of asbestos may be considered for additional work on site. The City Manager indicated that she had additional communication with the County Tax Collector. The City has an opportunity to acquire the property in the absence of other bidders in a finite window of time. Should the Council wish to pursue this option, the City Manager indicated that she will further research. The Council advised that they were not interested in acquisition of the property.

PUBLIC APPEARANCE:

Pat Vela, resident of Elks Senior Apartments: Stated that she was a Kaiser Insurance member, but that there is not a Kaiser facility in Brawley, nor are any of the doctors or hospital contracted with Kaiser. She requested the City to research, and try to obtain a contract with Kaiser.

Council Member advised that he is on the Board of Directors for the Clinicas Salud, and they have worked hard to get Kaiser here. However, they require a population of 60,000-70,000 people, and there is only 175,000 population in Imperial County, so we don't qualify.

CITY COUNCIL REPORTS

Miranda – Attended most of the Cattle Call activities; Sempra Energy/Gas Company Barbeque and BUHS Wildcat CIF Quarter Finals. Happy Thanksgiving.

Campbell – Enjoyed all of the Cattle Call festivities. Thank you staff.

Couchman – Attended Cattle Call Festivities; the Veteran Ceremony; Inaugural ceremony for Mayor of El Centro and BUHS Wildcat CIF game. Happy Thanksgiving.

Nava – Attended Cattle Call activities; Thank you Chamber of Commerce and staff for your hard work. The Veteran's event was well attended and moving. Happy and safe Thanksgiving. Announced Library Angel Tea, Thursday, December 6, 2012 @ 5:30 PM.

TREASURER'S REPORT – None

CITY MANAGER'S REPORT – Rosanna Bayon Moore

1. The California Department of Finance has rejected a number of items on the Recognized Obligation Schedule for period of January 1, 2013 – June 30, 2013. These items were approved in ROP's Nos.1 and 2. The following objections were noted:
 - a. Cal EMA EOC match (\$160,000 original pledge)
 - b. Prison Crew Contract (\$55,000)
 - c. Urban Futures Consulting Agreement (\$100,000)
 - d. Housing Compliance activities (\$4,500.00)

There will be an appeal hearing with the state tomorrow, including staff, Urban Futures and Monica Negrete, the Oversight Board Attorney, to receive feedback. No decisions will be made at this time.

2. Moving forward with Reorganization and Service Awards on December 18, 2012.

Council Member Couchman stated that he would like to see an alternative day, (other than a City Council meeting day) to allow other cities and organizations to attend.

The Council set December 20, 2012 6:00 PM as the date for Reorganization and Service Awards. It was agreed that City Manager would work with incoming Mayor regarding details.

CITY ATTORNEY'S REPORT – None

ADJOURN TO CLOSED SESSION 7:20 PM

- a. Conference with Labor Negotiator
Agency Designated Representative: Rosanna Bayon Moore
Brawley Public Safety Employees Association
- b. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)): Jupiter Ventures vs. City of Brawley
- c. Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Subdivision 9(b) of Section 54956.9: (One (1) Potential Case)

ADJOURNMENT Adjourned to Monday, December 3, 2012, 6:00 PM, City Council Chambers, 383 Main Street, Brawley, California; Next regular meeting, Tuesday, December 4, 2012, 6:00 PM, City Council Chambers, 383 Main Street, Brawley, California.



Janet P. Smith, Deputy City Clerk