

**CITY OF BRAWLEY**  
**May 5, 2015**

The City Council of the City of Brawley, California met in regular session at 6:00 PM, Council Chambers, 383 Main, 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, Nava, Noriega, Wharton  
**ABSENT:** None

The invocation was offered by **CM Campbell**

The pledge of allegiance was led by **CM Noriega**

**1. APPROVAL OF AGENDA**

The agenda was **approved** as submitted. m/s/c Noriega/Wharton 5-0

**2. PUBLIC APPEARANCES**

- a. **Mayor Nava** presented Len McCalister, EDD Local Veterans Employment Representative, with a City proclamation declaring May 2015 as Veteran’s Appreciation Month.
- b. **Yazmin Arellano**, Public Works Director, introduced Sylvia Olvera, Brawley Wastewater Treatment Plant Lab Analyst.
- c. **Charla Teeters** of the Imperial County Film Commission updated City Council about productions within the County of Imperial and associated revenue. There will be filming in Salton City this coming week and a commercial being filmed in Brawley.
- d. **Gil Rebolgar** of Imperial County Area Agency on Aging thanked the City of Brawley for support of the County of Imperial Resource Guide

**3. CONSENT AGENDA** Items are approved by one motion. Council Members or members of the public may request consent items be considered separately at a time determined by the Mayor.

The consent agenda was **approved** as approved. m/s/c Noriega/Couchman 5-0

**AYES:** Campbell, Couchman, Nava, Noriega, Wharton  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

- a. **Approve** Accounts Payable: April 16, 2015  
April 17, 2015  
April 23, 2015

- b. **Approve** City Council Minutes: March 19, 2015  
April 7, 2015
- c. **Adopt** Resolution No. 2015-14: Resolution of the City Council of the City of Brawley, California Identifying the Terms and Conditions for Fire Department Response Away from the Official Duty Station and Assigned to an Emergency Incident.
- d. **Adopt** Resolution No. 2015-15: Resolution of the City Council of the City of Brawley Approving the Application for Bicycle and/or Pedestrian Funds Under the Transportation Development Act and Approving the Proposed Bicycle and/ or Pedestrian Plan.
- e. **Adopt** Resolution No. 2015-16: Resolution of the City Council of the City of Brawley Approving the Article 8c Application For Dial-A-Ride Transit Purposes Under the Transportation Development Act (SB 325), PUC 99400.
- f. **Adopt** Resolution No. 2015-17: Resolution of the City Council of the City of Brawley Approving the Article 8e Application for Bus Benches/Shelters Purposes Under the Transportation Development Act (SB 325), PUC 99400.
- g. **Adopt** Resolution No. 2015-18: Resolution of the City Council of the City of Brawley Approving the Article 8e Application for Brawley Bus Transfer Terminal Purposes Under the Transportation Development Act (SB 325), PUC 99400.
- h. **Adopt** Resolution No. 2015-17: Resolution of the City Council of the City of Brawley Declaring an Emergency, Ratifying Action Taken by the City Manager and Approval of Emergency Repairs of Deteriorated Water Line on South Western Avenue and Installation of Variable Frequency Drives at the Water Treatment Plant.
- i. **Award** Contract to R&K Air for Project No. 2015-14 Purchase and Installation of 2 Air Conditioner Units for the Library in the Amount of \$11,799.00, Authorize a 15% Contingency in the Amount of \$1,769.85, and Authorize the City Manager to Execute All Documentation in Relation to this Project.
- j. **Adopt** Resolution No. 2015-20: Resolution of the City Council of the City of Brawley Amending Fiscal Year 2014/2015 City of Brawley Budget for the Police Department in the Amount \$17,514.81, Utilizing Development Impact Fees.  
**Pp 85-106**

#### **4. PUBLIC HEARING**

- a. Appeal for a Zone Change (ZC14-01)/General Plan Amendment GPA14-01/Site Plan (SP14-02)/Conditional/Use Permit (CUP14-02)/Parcel Map (PM14-01) – River Palm Mobile Home and RV Park/Mini-Storage/Convenience Market.

**Rosanna Bayon Moore**, City Manager, provided opening remarks, noting that the project was denied three (3) times by the Brawley Planning Commission and the applicants are now appealing the denial to the City Council. The proposed project was also considered by the Brawley Business Advisory Committee on May 4, 2015 where approval was recommended.

Power Point presented by Gordon Gaste, Planning Director\*

\*On file and available upon request at the Office of the City Clerk.

1. Hold Public Hearing

Open Public Hearing @ **6:40pm**

Personally appearing before the City Council to provide comments were:

Thomas Perez, resident of North 11<sup>th</sup> Street  
Gracie Fernandez, resident of River Drive  
Kevan Hutchinson, Brawley Planning Commission Chair  
Todd Dial, property owner on River Drive  
Sean Wilcock, Business Advisory Committee Chair

In summary, the concerns raised included inadequate parking, landscaping and aesthetics, property maintenance, lack of amenities, age of units, onsite regulations and project phasing.

**Jay Goyal, Developer/Applicant**, stated that it will be built in stages as the market allows.

2. 1<sup>st</sup> Reading of Ordinance No. 2015- : Ordinance of the City Council of the City of Brawley, California Amending the Brawley Municipal Code to Change the Zoning Designation for Specified Properties.
3. Approve Resolution No. 2015- : Resolution of the City Council of the City of Brawley, California Amendment to the City of Brawley General Plan

The City Council **tabled** this item to June 16, 2015, requested that staff meet with Imperial County Planning Department to discuss the roles and responsibilities of the County vs. the City and work with the applicant to examine options to address concerns.

## **5. REGULAR BUSINESS**

- a. Discussion and Potential Action to Approve Contract Extension for Professional Auditing Services for Fiscal Years June 30, 2015 and 2016.

The City Council **approved** extension for Professional Auditing Services for Fiscal Years June 30, 2015 and 2016. m/s/c Nava/Couchman 5-0

- b. Discussion and Potential Action to Approve Accounting Services Proposal from Moss, Levy and Hartzheim for Accounting Services for Year-End Closing Activities and Financial Statement Preparation.

The City Council **approved** the Accounting Services Proposal from Moss, Levy and Hartzheim for Accounting Services for Year-End Closing Activities and Financial Statement Preparation. m/s/c Campbell/Wharton 5-0

- c. Discussion and Staff Direction re: Selection and Prioritization of Street Lighting Styles for the Main Street Lighting Project – Phases 1, 2 and 3.

The City Council **approved** E-2 for the Selection and Prioritization of Street Lighting Styles for the Main

Street Lighting Project – Phase 1, 2 and 3.

- d. Discussion and Potential Action re: American Citizens Club Request to Sell and Consume Alcohol on City Properties Described as Hinojosa Park and Gonzalez Park, Saturday, June 6<sup>th</sup> and 7<sup>th</sup>, 2015 from 8AM to 10PM.

The City Council **approved** for the American Citizens Club Request to sell and Consume Alcohol on City Properties described as Hinojosa and Gonzalez Park, on Saturday, June 6<sup>th</sup> and 7<sup>th</sup>, 2015 from 8am to 10pm. m/s/c Nava/Noriega 5-0

## **6. DEPARTMENTAL REPORTS**

- a. Monthly Staffing Report for May, 2015 - Shirley Bonillas, Personnel & Risk Administrator
- b. Monthly Building Report for March, 2015 – Francisco Soto, Building Official.

## **7. CITY COUNCIL MEMBER REPORTS**

**Noriega:** Attended the Arts Walk and Economic Summit sponsored by Imperial Valley Economic Development Corporation.

**Couchman:** Attended Dancing with the Stars Gala Event, County Board of Supervisors Meeting at Brawley City Council Chambers, Chamber Reach Mixer at Brawley Municipal Airport and a Rotary function at Inferno.

**Campbell:** Attended Chamber Reach Mixer, Cinco de Mayo Celebration, SCAG General Assembly.

**Wharton:** Attended County Board of Supervisors Meeting at City Council Chambers, Business Advisory Committee Meeting where welcomed two new members and Chamber Reach Mixer.

**Nava:** Attended Imperial County Transportation Commission Meeting, Chamber Reach Mixer, Economic Summit sponsored by IVEDC, County Board of Supervisors Meeting in City Council Chambers, met with David Rubenstein CEO of California Ethanol and Power, LLC; Commented re: filming in North County.

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

- a. Reported on A/C Replacement Project at Brawley Senior Center, Lions Center and Water Treatment Plant.

**9. TREASURER'S REPORT** No report.

## **10. CITY ATTORNEY'S REPORT**

- a. Reported that the Court Appointed receiver has a buyer for 279 J Street and anticipates to see clean up commence soon.
- b. Invited to the Del Rio Country Club on Friday May, 29, 2015 for the 8<sup>th</sup> Annual Gallery Night and Silent Arts Auction from 6:30-9:30pm.

**11. CITY CLERK'S REPORT** No report

**12. CLOSED SESSION**

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (G. C. Section 54956.8)

Conference with Real Property Negotiators  
Property: 138 South 8<sup>th</sup> Street – APN #049-031-004  
Agency Negotiator: Rosanna Bayon Moore, City Manager  
Negotiating party: Imperial Irrigation District  
Under negotiation: price and terms of use

b. EXISTING LITIGATION (G.C. Section 54956.9)

Ayala, et al vs. County of Imperial, et al

c. ANTICIPATED LITIGATION (G. C. Section 54956.9 Initiation of Litigation pursuant to paragraph (4) of subdivision (d))

Conference with Legal Counsel –There is one (1) potential case.

**ADJOURNMENT** @ 8:26 PM

---

**Alma Benavides**, City Clerk