

**CITY OF BRAWLEY**  
**February 6, 2024**

The City Council of the City of Brawley, California met in regular session at 6:00 p.m., City Council Chambers, the date, time and place of said meeting was duly established. The Deputy City Clerk attests to the posting of the agenda pursuant to Cal. Govt. Code § 54954.2.

**REGULAR MEETING:**

**Mayor Castro called the meeting to order at 6:00 p.m.**

<https://www.facebook.com/cityofbrawley/videos/1076771296996238/>

**PRESENT:** Castro, Wharton, Rebollar, Hamby, Nava  
**PRESENT VIA ZOOM:** None  
**ABSENT:** None

**INVOCATION:** CM Hamby

**PLEDGE OF ALLEGIANCE:** Lloyd Miller

**1. APPROVAL OF AGENDA:**

The Agenda was approved. m/s/c Hamby/Rebollar 5-0

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**2. PUBLIC APPEARANCES/COMMENTS:** (Not to exceed four minutes) this is the time for the public to address the Council on any item not appearing on the agenda that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. Please direct your comments to the City Council.

Any member of the public is invited to submit public comments in advance of the meeting to be answered at the meeting. Please email your questions to [jramos@brawley-ca.gov](mailto:jramos@brawley-ca.gov) or call 760-351-3080 any time before 2:00 pm, February 6, 2024.

Procedures to "swiftly" accommodate any reasonable request to accommodate access by disabled individuals to meetings that are accessible telephonically or through other electronic means in accordance with the Americans with Disabilities Act ("ADA") are in place.

Notice of the procedure is provided for making requests for such reasonable accommodation is provided with the notice of the public meeting.

a. Public Comments Not on the Agenda:

1. Tina Rias made comments in Spanish. Her comments may be viewed at:

<https://www.facebook.com/cityofbrawley/videos/1076771296996238/>

2. Terry Rias translated the Spanish comments. His comments may be viewed at:

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- b. Proclamation In Recognition of Líderes Campesinas. Presented by Mayor Ramon Castro, City of Brawley City Council.

The presentation may be viewed at:

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**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. m/s/c Nava/Rebollar 5-0

- a. **Approved** City Council Minutes: January 16, 2024.
- b. **Approved** Accounts Payable: January 6, 2024 to January 26, 2024.
- c. **Adopted** Resolution 2024-: Approving application for Bicycle and/or Pedestrian funds allocated by the Imperial County Transportation Commission (ICTC).
- d. **Adopted** Resolution 2024-: Approving application for bus transfer terminal funds allocated by the Imperial County Transportation Commission (ICTC).
- e. **Approved** Letter of Support to Imperial Regional Alliance for the Imperial Valley Business Resource Center (IVBRC).
- f. **Approved** Memorandum of Understanding (MOU) between the City of Brawley, San Diego State University (SDSU), and San Diego State University, Imperial Valley Campus (IV-SDSU).

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#### **4. CITY MANAGER REPORT:**

The City Manager reported that it is budget season and invited residents to contact him with question or concerns about the budget.

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#### **5. REGULAR BUSINESS:**

- a. Discussion and potential action to receive and file the 2022/23 General Fund Year End Budget Report, approve the amended budget carryovers from fiscal year 2022/23 to fiscal year 2023/24, and allocations to reserves. Presented by Silvia Luna, Interim Finance Director.

The Council received and filed the General Fund Year End report. m/s/c Wharton/Nava 5-0.

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- b. Discussion and potential action to approve the Fiscal Year 2024/25 Operating and Capital Improvement Program Budget Timeline. Presented by Silvia Luna, Interim Finance Director.

The Budget Timeline was approved. m/s/c/ Wharton/Nava 5-0.

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- c. Discussion and potentially revise draft ordinance designed to address concerns about noise issues in City Limits. Presented by William Smerdon, City Attorney

Direction was given to the City Attorney re revisions to the proposed ordinance.

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- d. Discussion and potential action to award the contract to Top Builders Construction, Inc. for Project No. 2024-06 Senior Center Garden ADA Project, and allow the City Manager to execute all documents related to the project. Presented by Thomas Garcia, Assistant to the City Manager

The contract was awarded to Top Builders Construction, Inc. m/s/c Nava/Wharton 5-0.

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- e. Discussion and potential action to approve Los Amigos de la Comunidad request to close Main Street and a portion of North and South Plaza Streets to hold the annual Cesar Chavez Celebration. Secondly, approve request by Los Amigos de la Comunidad to sell alcohol during the event. Presented by Thomas Garcia, Assistant to the City Manager.

The Council approved the request for street closure. m/s/c Nava/Rebollar 5-0. Council approved the request to sell alcohol. m/s/c Nava/Rebollar 4-1 Hamby voted no.

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- f. Discussion and potential action to approve Proyecto Heber's request to close Main Street and a portion of North and South Plaza Streets for the Nuestras Raices Show. Presented by Thomas Garcia, Assistant to the City Manager.

Council approved the request. m/s/c Nava/Hamby 5-0.

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- g. Discussion and potential action to approve Professional Services Agreement Amendment with First Carbon Solutions International, Inc. for additional revisions of the project description for Rancho Los Lagos Specific Plan Project, for a not to exceed amount of \$65,560; and authorize the City Manager to execute the agreement. Presented by Thomas Garcia, Assistant to the City Manager.

Council approved the professional services agreement. m/s/c Nava/Wharton 5-0.

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- h. Discussion and potential action to award SB1 Street Improvements Project at Various Locations to LC Paving and Sealing Inc. Presented by Rom Medina, Director of Public Works Operations & Maintenance.

Council awarded the project to LC Paving and Sealing Inc. m/s/c Nava/Hamby 5-0.

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- i. Discussion and potential action to authorize Amendment No. 1 to the agreement with NV5 to provide Professional Engineering Services as needed. Presented by Rom Medina, Director of Public Works Operations & Maintenance.

Council authorized Amendment No.1 to the agreement with NV5. m/s/c Nava/Wharton 5-0.

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- j. Discussion and potential action to approve the funding for the creation of a Code Enforcement Officer and Code Enforcement Division. Presented by Tyler Salcido, City Manager.

Council approved the funding for the new position. m/s/c Nava/Hamby 5-0.

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## **6. INFORMATIONAL REPORTS**

- a. Monthly Staffing Report for February, 2024.

Council members reviewed the reports prior to the meeting.

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

The City Council reports are available on the City of Brawley's website and are available on the City's audio record of the meeting.

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## **8. CITY ATTORNEY REPORT:**

The City Attorney reported that there was nothing to discuss in regard to matter number one on the closed session agenda inasmuch as we are still waiting for the Court's decision regarding the City's motion to recover attorneys' fees. He deferred the remainder of the report to Closed Session

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## **9. CLOSED SESSION:**

- a. EXISTING LITIGATION (C.G.C. Section §54956.9)

Conference with Legal Counsel— One (1) Case Name of Case: Vertical Bridge Development, LLC vs. City of Brawley

This item was addressed in the City Attorney's report, there was nothing to discuss.

b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APNS 049-060-016-00; 049-060-039-000; and 049-060-040-000

Agency negotiator: City Manager

Negotiating parties: AMG Associates, LLC

Under negotiation: Disposition of City Land

Information was provided to the Council regarding this matter. No action was taken.

Property: APNS 047-231-013 and 014

Agency negotiator: City Manager

Negotiating parties: Mark Gaddis

Under negotiation: Disposition of City Land.

Information was provided to Council. No action was taken.

The meeting was adjourned at 8:30 p.m.



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William Smerdon, Deputy City Clerk