



CITY COUNCIL AGENDA

REGULAR MEETING

Wednesday, November 18, 2009

12:00 Noon

Council Chambers, City Hall, 1275 Main Street, El Centro, CA 92243

Mayor & Council Members can be reached at (760) 336-8989

Mayor: Benjamin James Solomon, III
Mayor Pro-Tem: Cheryl Viegas-Walker
Council Members: Sedalia Sanders
Efrain Silva
Jon A. Edney

City Clerk: L. Diane Caldwell
City Manager: Ruben Duran
City Attorney: Luis Hernandez

All Times Are Approximate and May Vary

12:00 Noon Closed Session – (Conference Room A)

**CALL TO ORDER: Roll-Call
PLEDGE OF ALLEGIANCE:
INVOCATION:**

6:05-6:10 CITY ATTORNEY REPORT ON CLOSED SESSION

6:10 P.M. Public Session - *This is a Public Meeting. If there is an item on the Agenda on which you wish to be heard, please complete a "Speakers Slip" and give to the City Clerk prior to the meeting. When the item is announced by the Mayor, come forward to the microphone, address yourself to the Council, stating your name and address for the record. Unless the Mayor extends the time, there is a three (3) minute time limit for each public presentation. If you wish to address the Council concerning any other matter within the Council's jurisdiction, you may do so during the public comment portion of the agenda.*

6:10-6:10 PRESENTATIONS AND ANNOUNCEMENTS BY MAYOR:

6:10-6:15 SCHEDULED PUBLIC COMMENTS: (Not to exceed 3 minutes each)

Items appearing under this section have submitted a written request to the City Clerk at least one week prior to the regular meeting.

1. Monthly Report by Tom Curtis, President, Downtown El Centro Business Improvement District.

6:15-6:20 CONSENT AGENDA:

Consent agenda items are approved by one motion. Council members or members of the public may pull consent items to be considered separately at a time determined by the Mayor.

2. Approval of the Warrants and Payroll for October 2009.
3. Approval of the Treasurer's Report for October 2009.
4. Approval of the City Council Minutes of October 21, 2009.
5. Approval of **Resolution No. 09-124** , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. NO18 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 11-5169R FOR FEDERAL-AID PROJECTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
6. Approval of **Resolution No. 09- 125**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. NO19 TO THE ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 11-5169R FOR FEDERAL-AID PROJECTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
7. Approval of **Resolution No. 09-126** ,RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO, URGING SAN DIEGO STATE UNIVERSITY TO REVERSE DR. STEPHEN WEBER'S SUSPENSION OF SAN DIEGO STATE UNIVERSITY'S GUARANTEED ADMISSIONS POLICIES AND REDUCTION OF SAN DIEGO STATE IMPERIAL VALLEY CAMPUS' FULL TIME STUDENT ENROLLMENT AT 11.6 PERCENT – **APPROVED BY SEPARATE MOTION**

RECOMMENDATION: Approval of the Consent Agenda as presented.

FINAL ACTION: APPROVED

6:20-7:05 PUBLIC HEARINGS:

8. Public hearing to receive comments from the public on a proposed reimbursement agreement between the City of El Centro and IN-N-OUT Burgers, a California Corporation for the installation of a raised median island running north south along SR-86 and Wake Avenue and an increase of radius at the NW corner of SR-86 and Wake Avenue as part of the IN-N-OUT burgers project located at the NW corner of the intersection of SR-86 and Wake Avenue.

Presentation: Staff Report

RECOMMENDATION: Approval of **Resolution No. 09-132** , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING THE AGREEMENT FOR REIMBURSEMENT OF A RAISED MEDIAN ISLAND AND CORNER RADIUS COSTS FOR THE IN-N-OUT BURGER DEVELOPMENT AT FOURTH STREET (SR-86) AND WAKE AVENUE.

FINAL ACTION: **APPROVED**

9. Public hearing to consider the recommendation of the Planning Commission on General Plan Amendment No. 08-02, Change of Zone No. 08-02 and Mitigated Negative Declaration No. 08-04 (SCH #2009051110). The project proposes a general plan amendment from RR-Rural Residential to General Commercial and subsequent change of zone from RR, rural residential to CN, neighborhood commercial for property located at 3103 South Fourth Street (Highway 86).

Presentation: Staff Report

RECOMMENDATION: a. Approval of **Resolution No. 09- 127**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO ADOPTING MITIGATED NEGATIVE DECLARATION NO. 08-04 (SCH #2009051110) WITH MITIGATION MONITORING AND REPORTING PROGRAM FOR GENERAL PLAN AMENDMENT NO. 08-02 AND CHANGE OF ZONE NO. 08-02.

b. Approval of **Resolution No. 09-128** , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING GENERAL PLAN AMENDMENT NO. 08-02 TO CHANGE THE LAND USE DESIGNATION FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL USAGE FOR 4.15 ACRES OF VACANT LAND LOCATED AT 3103 SOUTH FOURTH STREET AND DECLARING SAME TO BE THE FOURTH GENERAL PLAN AMENDMENT FOR CALENDAR YEAR 2009

c. Approval of **Ordinance No. 09-11** , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AMENDING THE ZONING MAP OF THE CITY OF EL CENTRO PERTAINING TO APPROVED ZONE CHANGE – CHANGE OF ZONE NO. 08-02 (to waive reading and pass as a 1st reading).

FINAL ACTION: **APPROVED**

- 10.** Public hearing to consider the recommendation of the Planning Commission on General Plan Amendment No. 09-01, Change of Zone No. 09-01 and Negative Declaration No. 09-02(a),(b). The project proposes a general plan amendment from CD, Downtown Commercial to PU, Public Communities Facilities use and subsequent change of zone from CG, general commercial to LU, limited use for a 1.07 – acre property located at 385 West Main Street. The General Plan Amendment and Change of Zone would allow for the construction of a 10,646 square foot outpatient medical clinic.

Presentation: Staff Report

RECOMMENDATION: a. Approval of **Resolution No. 09-129**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO ADOPTING NEGATIVE DECLARATION NO. 09-02 (a) WITHOUT MONITORING PLAN FOR GPA NO. 09-01.

b. Approval of **Resolution No. 09-130**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING GENERAL PLAN AMENDMENT NO. 09-01 TO CHANGE THE LAND USE DESIGNATION FROM DOWNTOWN COMMERCIAL TO PUBLIC COMMUNITY FACILITIES USAGE FOR 1.07 ACRES OF VACANT LAND LOCATED AT 385 WEST MAIN STREET AND DECLARING SAME TO BE THE FOURTH GENERAL PLAN AMENDMENT FOR CALENDAR YEAR 2009

c. Approval of **Resolution No. 09-131** , A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO ADOPTING NEGATIVE DECLARATION NO. 09-02(b) WITHOUT MONITORING PLAN FOR CHANGE FO ZONE NO. 09-01

d. Approval of **Ordinance No. 09- 12** , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AMENDING THE ZONING MAP OF THE CITY OF EL CENTRO PERTAINING TO APPROVED ZONE CHANGE – CHANGE OF ZONE NO. 09-01 (to waive reading and pass as a 1st reading).

FINAL ACTION: **APPROVED**

7:05 – 7:15 UNFINISHED BUSINESS:

- 11.** Discussion and any necessary action regarding the Parks and Recreation Mitigation Fee Study. *(On February 18, 2009 City Council requested this item be revisited in 9 months).*

Presentation: Staff Report

RECOMMENDATION:

FINAL ACTION: **POSTPONE CONSIDERING THE ADOPTION OF THE PARKS & RECREATION MITIGATION FEE FROM 2/2010 TO 2/2011**

7:15 – 7:25 DEPARTMENT REPORT:

- 12.** Financial Update as of September 30, 2009 by Leticia Salcido, Finance Director.

INFORMATIONAL ITEMS:

13. Rejection of Claim of Roberto Canchola as recommended by Insurance Carrier and pursuant to Resolution No. 98-49.
14. Received and filed Planning Commission Minutes for regular meeting of October 6, 2009.
15. Received and filed 2008-2013 Strategic Planning Program update.
16. Received and filed El Centro Elementary School District Board of Trustees Resolution No. 101309-860, RESOLUTION OF THE BOARD OF TRUSTEES OF THE EL CENTRO ELEMENTARY SCHOOL DISTRICT APPROVING A SCHOOL FACILITIES NEEDS ANALYSIS, ADOPTING ALTERNATIVE SCHOOL FACILITY FEES IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 65995.5, 65995.6 AND 65995.7 AND MAKING RELATED FINDINGS AND DETERMINATIONS.
17. Received and referred to Planning Department, Application for Alcoholic Beverage License regarding the following:
 - a. 24 Lounge, 690 W. Main Street, El Centro, CA

7:25-7:30 – (Time may vary) PUBLIC COMMENTS: (Not to exceed 3 minutes each)
The City Council welcomes your input. You may address the Council by completing a speakers slip and giving it to the City Clerk prior to the meeting. At this time you may address the Council on items that are not on the agenda. The Mayor reserves the right to place a time limit on each presentation.

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7:30-7:30 – (Time may vary) COUNCIL RECESS

7:30-7:40 – (Time may vary) MAYOR AND COUNCIL MEMBERS REPORTS:
Council Members reports on conferences or other City activities. Time limit 3 minutes.

ADJOURNMENT no later than 9:45 p.m: *Unless a majority of Council has voted to continue or asked that the meeting be adjourned to another date & time. (___ 8:35 p.m. __) TO TUESDAY DECEMBER 1, 2009 AT 6:00 P.M. FOR THE PURPOSE OF ADMINISTERING THE OATH OF OFFICE TO RE-ELECTED COUNCIL MEMBERS BEN SOLOMON AND CHERYL VIEGAS-WALKER AND THE REORGANIZATION OF THE CITY COUNCIL.*

REGULAR MEETING OF THE REDEVELOPMENT AGENCY:

CONVENED:___ 8:25_ P.M. ADJOURNMENT: _ 8:25__ P.M.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet will be available for public inspection at the Office of the City Clerk, 1275 Main Street, El Centro, California 92243, Monday-Friday during normal business hours.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the office of the City Clerk at (760)337-4515. Notification at least 72 hours prior to the meeting will enable the City to make reasonable arrangement to assure accessibility to this meeting.