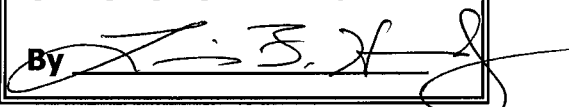




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OFFICE OF CITY ATTORNEY
By 

STATEMENT FOR MAYOR OR CHAIRPERSON
PRIOR TO CLOSED SESSION
(Government Code Section 54954.4, 54957.7)

X Regular X Adjourned Regular ___ Special Meeting of February 24, 2010 of the City Council (name of Agency; i.e., City Council, Redevelopment Agency, other named committee).

TRADE SECRETS.

X The Agency will recess to closed session pursuant to Government Code Section 37606.1(b) for the purpose of discussion and/or deliberation of reports involving hospital trade secret(s) as defined in subdivision (d) of Section 3426.1 of the Civil Code and which is necessary, and would, if prematurely disclosed create a substantial probability of depriving the hospital of a substantial economic benefit:

<u>Discussion of:</u>	<u>Number of Items:</u>	<u>Estimated Date of Public Disclosure:</u>
<u>X</u> new hospital service;	<u>10-25 Estimate</u>	<u>03/11</u>
<u>X</u> new program;	<u>10-25 Estimate</u>	<u>03/11</u>
<u>X</u> add a hospital facility	<u>5-10 Estimate</u>	<u>03/11</u>

PENDING LITIGATION.

- ___ Upon advice of its legal counsel, the Agency will recess to closed session pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated formally and to which the Agency is a party. **(Check and complete as applicable).**
- ___ The title of the litigation is (specify by reference to claimant's name, names of parties, case or claim numbers) _____ ; _____
- ___ Identification of such litigation would jeopardize the Agency's ability to effect service or process upon one or more unserved parties (Government Code Section 54956.9); or
- ___ Identification of such litigation would jeopardize the Agency's ability to conclude existing settlement negotiations to its advantage. (Government Code Section 54956.9).

ANTICIPATED LITIGATION.

5. ___ The Agency will recess to closed session with its attorney regarding anticipated litigation in that:
6. ___ **Significant Exposure To Litigation Against The Agency.** A point has been reached where, in the opinion of the Agency legislative body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Agency. There are **(provide number)** ___ such potential cases. (Government Code Section 54956.9(b)(1).
7. ___ Based on existing facts and circumstances, the legislative body is meeting only to decide whether a closed session is authorized pursuant to Government Code Section 54956.9(b)(1). (Government Code Section 54956.9(b)(2).
8. ___ Based on existing facts and circumstances, the legislative body has decided to initiate or is deciding whether to initiate litigation. There are **(provide number)** such potential cases. (Government Code Section 54956.9(c).

JPA INSURANCE CLAIMS DISCUSSIONS.

9. ___ The legislative body, as a member of a joint powers authority formed for purposes of insurance pooling pursuant to Government Code Section 6500 *et seq.*, will meet in closed session to discuss a claim(s) for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the authority. Unless unspecified pursuant to Government Code Section 54956.9, the name of the claimant(s) and the name(s) of the corresponding local agency(ies) against which such claim(s) is/are made is/are: (Government Code Section 54956.9).

NEGOTIATIONS REGARDING ACQUISITION/DISPOSITION OF REAL PROPERTY.

10. ___ The Agency will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Agency's negotiator(s) **specify name of negotiator** regarding negotiations with **(specify name of party, or agent)** which instructions will concern price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations concerning the purchase, sale, exchange, and/or lease of the property located at _____ **(specify street address, or if no street address, parcel number or other unique reference, of the real property under negotiation).**
11. ___ The Agency will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Agency's negotiator(s) **(specify name of negotiator)** regarding negotiations with _____ **(specify name of party, or agent)** which instructions will concern price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations concerning the purchase, sale, exchange, and/or lease of the property located at _____ **(specify street address, or if no street address, parcel number or other unique reference, of the real property under negotiation).**
12. ___ The Agency will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Agency's negotiator(s)

(specify name of negotiator) regarding negotiations with _____ (specify name of party, or agent) which instructions will concern price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations concerning the purchase, sale, exchange, and/or lease of the property located at _____ (specify street address, or if no street address, parcel number or other unique reference, of the real property under negotiation).

13. _____ The Agency will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Agency's negotiator(s) (specify name of negotiator) regarding negotiations with _____ (specify name of party, or agent) which instructions will concern price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations concerning the purchase, sale, exchange, and/or lease of the property located at _____ (specify street address, or if no street address, parcel number or other unique reference, of the real property under negotiation).

LABOR RELATIONS NEGOTIATIONS.

14. _____ The Agency will recess to closed session pursuant to Government Code Section 54957.6 to meet with _____ (specify name(s)) who is/are the Agency's designated representative(s) for the purpose of reviewing the Agency's position and instructing its representative(s) regarding matters of salaries, salary schedules, compensation paid in the form of fringe benefits, or, as applicable, other matters dealing with mandatory subjects within the scope of representation pursuant to Government Code Section 3504 _____ (as to represented employee(s), specify name of organization representing the employee(s); as to unrepresented employee(s), specify the position title(s) of the unrepresented employee(s) who is/are the subject of the negotiations). As to unrepresented employees, the closed session will not include final action on the proposed compensation of one or more unrepresented employees).

PERSONNEL MATTERS.

15. _____ The Agency will recess to closed session pursuant to Government Code Section 54957 to:
- _____ (a) consider the appointment or employment to the position(s) of _____ (specify position(s)).
 - _____ (b) consider the evaluation of the performance of the _____.
 - _____ (c) discuss the employment agreement of the _____.
 - _____ (d) consider the dismissal of a public employee.
 - _____ (e) hear complaints or charges brought against an employee by another person or employee unless the employee requests a public session. **The employee has been given written notice by personal service or by mail delivered at least 24 hours before this meeting informing him/her of his/her right to have the complaints or charges heard in an open session.**

LICENSE APPLICANT(S) AND ATTORNEYS.

16. ____ The Agency will recess to closed session pursuant to Government Code Section 54956.7 to meet with ____ (**insert number**) applicant(s) for a city license and the attorney(s) for ____ (**insert number**) of such applicant(s).

PUBLIC SECURITY.

17. ____ The Agency will recess to closed session to meet with____(**Chief of Police and/or Security Operations Manager**) on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities or the security of essential public services including water, drinking water, wastewater, gas service, and electrical service. (Government Code Section 54957).



City Council Agenda

Fairfield Inn & Suites Conference Rooms 1 and 2
503 East Danenberg Drive, El Centro, California

ADJOURNED REGULAR MEETING

Joint Session with ECRMC Board of Trustees

Wednesday, February 24, 2010

12:45 P.M.

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

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

All Times are approximate & may vary!

Public Comments: *This 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.*

12:45 p.m. – 12:50 p.m.	Call to Order and Welcome	Cheryl Viegas-Walker, Mayor & Board President
12:50 p.m. – 12:55 p.m.	Introductions	Cheryl Viegas-Walker, Mayor & Board President
12:55 p.m. – 1:00 p.m.	Confidentiality Acknowledgment Agreement	Luis Hernandez, City Attorney
1:00 p.m.	CLOSED SESSION – Trade Secrets Council adjourns to Closed Session	Cheryl Viegas-Walker, Mayor & Board President

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. ()*

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

