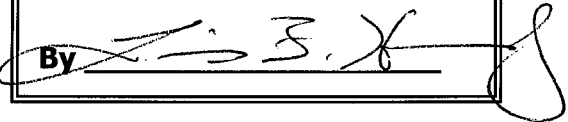


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OFFICE OF CITY ATTORNEY
By 

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

 Regular X Adjourned Regular Special Meeting of March 18, 2010 of the
City Council (name of Agency; i.e., City Council, Redevelopment Agency, other named committee).

PENDING LITIGATION.

1. 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).**
2. The title of the litigation is (specify by reference to claimant's name, names of parties, case or claim numbers) _____; _____;
3. 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
4. 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. X The Agency will recess to closed session with its attorney regarding anticipated litigation in that:
6. X **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 is (provide number) 2 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).

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

ADJOURNED REGULAR MEETING

Thursday, March 18, 2010

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: Cheryl Viegas-Walker

Mayor Pro-Tem: Efrain Silva

Council Members: Jon A. Edney

Sedalia Sanders

Benjamin James Solomon, III

City Clerk: L. Diane Caldwell

City Manager: Ruben Duran

City Attorney: Luis Hernandez

All Times Are Approximate and May Vary

CALL TO ORDER: Roll-Call

PLEDGE OF ALLEGIANCE:

INVOCATION:

12:00 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.*

12:05-12:10 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.

1. Approval of the Warrants and Payroll for February 2010.
2. Approval of the Treasurer's Report for February 2010.
3. Approval of the City Council Minutes for February 17, 2010 and February 24, 2010.
4. Approval of the Denial of Application for Leave to Present Late Claim of Justin Drach as recommended by Insurance Carrier.
5. Approval of Resolution No. 10- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AWARDING THE BID FOR ONE SPORTS UTILITY 2WD POLICE PURSUIT VEHICLE TO CITY CHEVROLET

6. Approval of Resolution No. 10- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AWARDING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE FOURTH STREET/HIGHWAY 86 MANHOLE REFURBISHING PROJECT TO SOCAL PACIFIC CONSTRUCTION CORP
(The following bids were received and opened on January 26, 2010 at 2:00 p.m: Socal Pacific Construction \$249,186.00 and Sancon Engineering \$377,160.00)
7. Approval of Resolution No. 10- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO RESCINDING AND RE-ADOPTING AN AGREEMENT FOR THE REIMBURSEMENT OF CITY'S COST OF SPONSORSHIP OF FIRE DEPARTMENT EMPLOYEES IN THE IMPERIAL VALLEY COLLEGE PARAMEDIC TRAINING PROGRAM
8. Approval of the rescheduling of the March 17, 2010 General Plan Amendment Hearing to April 7, 2010.
9. Approval of the Sponsorship for the 2010 Freedom Festival in the amount of \$2500.

RECOMMENDATION: Approval of the Consent Agenda as presented.

FINAL ACTION:

INFORMATIONAL ITEMS:

10. Received and referred to Planning Department, Application for Alcoholic Beverage License regarding the following:
 - a. La Conga USA, 614 W. Main Street, El Centro
 - b. A & J Gas & Market, 525 N. La Brucherie, El Centro
11. Received and filed Planning Commission Minutes of November 3, 2009 and January 5, 2010.

12:10-12:15 – (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.

12:15-12:20 – (Time may vary) MAYOR AND COUNCIL MEMBERS REPORTS:
Council Members reports on conferences or other City activities. Time limit 3 minutes.

12:20 – CLOSED SESSION

ADJOURNMENT: (_____)

REGULAR MEETING OF THE REDEVELOPMENT AGENCY:

CONVENED _____ P.M. ADJOURNMENT: _____ 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.