



# **\*AMENDED\*** **AGENDA**

## **CITY COUNCIL/ CITY COUNCIL AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/ HOUSING AGENCY**

**Regular Meeting  
11:30 A.M.**

**El Centro City Hall, Conference Room A,  
1275 Main Street, El Centro, CA 92243**

**6:00 P.M.**

**El Centro Adult Center,  
385 So. 1<sup>st</sup> Street, El Centro, CA 92243**

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

<b>Mayor:</b>	<b>Sedalia Sanders</b>	<b>City Clerk: L. Diane Caldwell</b>
<b>Mayor Pro-Tem:</b>	<b>Benjamin James Solomon, III</b>	<b>City Manager: Ruben Duran</b>
<b>Council Members:</b>	<b>Cheryl Viegas-Walker</b>	<b>City Attorney: Kris Becker</b>
	<b>Efrain Silva</b>	
	<b>Jason Jackson</b>	

**11:30 A.M. Closed Session** (City Hall, Conference Room "A")

**6:00 P.M. Open Session**

**ALL TIMES ARE APPROXIMATE AND MAY VARY**

### **CALL TO ORDER:**

*Call to order a meeting of the City Council, also serving as the Successor Agency to the Redevelopment Agency (SA) and Housing Agency (HA).*

### **Roll-Call**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

**6:00-6:05 CITY ATTORNEY REPORT ON CLOSED SESSION**

## NOTICE TO THE PUBLIC

This is a public meeting, any person wishing to address the City Council, Successor Agency to the RDA & Housing Agency is asked to complete a blue "Speaker Slip" and submit it to the City Clerk prior to the start of the meeting. When the item is announced and your name is called by the Mayor, please come forward to the microphone and address yourself to the City Council. Unless the Mayor extends the time, there is a three (3) minute time limit for each public presentation. If you wish to address the City Council on any subject matter within the City Council's jurisdiction that is not listed on the agenda, you may do so during the public comment portion of the agenda. Any information provided on the "Speaker Slip" will be public record.

### **6:05-6:10 PRESENTATIONS AND ANNOUNCEMENTS BY MAYOR**

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

*Item(s) appearing under this section have submitted a written request to the City Clerk a minimum of one week prior to the regular meeting.*

1. Monthly report by the El Centro Chamber of Commerce.

### **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 City Council minutes for regular meeting of April 3, 2012.
3. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AGREEMENT FOR LEGAL SERVICES WITH RYAN D. CHILDERS TO ASSIST THE OFFICE OF THE CITY ATTORNEY ON AN AS-NEEDED BASIS
4. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AGREEMENT FOR LEGAL SERVICES WITH LAUREL LEE HYDE OF SCHWARTZ HEIDEL SULLIVAN TO ASSIST THE OFFICE OF THE CITY ATTORNEY WITH SPECIAL PROJECTS AS DETERMINED BY THE CITY ATTORNEY
5. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AGREEMENT FOR LEGAL SERVICES WITH RYAN D. CHILDERS TO PROVIDE LEGAL SERVICES FOR THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE EL CENTRO REDEVELOPMENT AGENCY
6.
  - a. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE EL CENTRO BUENA VISTA LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2012-2013 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT IN CONNECTION THEREWITH
  - b. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE EL CENTRO BUENA VISTA LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2012-2013
  - c. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING THE BUENA VISTA LANDSCAPING AND LIGHTING DISTRICT AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2012-2013

7. a. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE EL CENTRO LEGACY RANCH LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2012-2013 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT IN CONNECTION THEREWITH  
  
b. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE EL CENTRO LEGACY RANCH LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2012-2013  
  
c. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING THE EL CENTRO LEGACY RANCH LANDSCAPING AND LIGHTING DISTRICT AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2012-2013
8. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING A FIRST AMENDMENT TO THE EL CENTRO TOWN CENTER PHASE II SUBDIVISION AGREEMENT
9. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING A SECOND AMENDMENT TO THE COOPERATIVE AGREEMENT WITH STATE OF CALIFORNIA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION RELATING TO AN ENCROACHMENT PERMIT TO INSTALL TRAFFIC SIGNALS ON THE RAMPS LOCATED AT DOGWOOD AND INTERSTATE 8
10. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING A FIRST AMENDMENT TO THE SUBDIVISION AGREEMENT FOR THE EIGHTH STREET INDUSTRIAL PARK SUBDIVISION MAP
11. Approval of Resolution No. 12- , A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO CALIFORNIA, RESCINDING RESOLUTION NO. 09-23 AND ADOPTING A NEW RESOLUTION ESTABLISHING A POLICY FOR THE DISPOSAL OF SURPLUS FIREARMS OWNED BY THE CITY OF EL CENTRO
12. Approval of Ordinance No. 12- , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AMENDING SECTIONS 18-131, 18-136 AND 18-137 OF THE ARTICLE VII, CHAPTER 18 OF THE CODE OF EL CENTRO RELATING TO PARENTAL CIVIL LIABILITY AND FINANCIAL RESPONSIBILITY FOR MINOR CHILDREN WHO CAUSE GRAFFITI ON ANY PROPERTY IN THE CITY
13. Approval of plans and specifications for the El Centro Regional Bus Transfer Station and authorize staff to release for bidding
14. Approval of the revised Personnel Rules and Regulations

**RECOMMENDATION:** Approval of the Consent Agenda as presented.

**FINAL ACTION:**

## **6:20-6:35 PUBLIC HEARING**

15. Approval of the El Centro Economic Development Strategy, the Addendum to the Certified Program EIR for the 2004 General Plan Update, and General Plan Amendment No. 10-01 Updating the Economic Development Element of the City's General Plan.

**PRESENTATION:** Norma Villicana, Director of Planning and Zoning

**RECOMMENDATION:** a) Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING THE EL CENTRO ECONOMIC DEVELOPMENT STRATEGY

b) Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO ADOPTING THE ADDENDUM TO THE CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE 2004 GENERAL PLAN UPDATE – PROJECT: ECONOMIC DEVELOPMENT ELEMENT UPDATE TO THE CITY'S GENERAL PLAN

c) Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING GENERAL PLAN AMENDMENT NO. 10-01 UPDATING THE CITY'S ECONOMIC DEVELOPMENT ELEMENT OF THE GENERAL PLAN AS WELL AS MODIFICATIONS TO THE IMPLEMENTATION PROGRAM THAT SUPPORTS THE ELEMENT AND DECLARING SAME TO BE THE FIRST GENERAL PLAN AMENDMENT FOR CALENDAR YEAR 2012

**FINAL ACTION:**

## **6:35-7:00 NEW BUSINESS**

16. Discussion and any necessary action regarding Wastewater Rate Adjustments, Public Hearings

**PRESENTATION:** Terry Hagen, Director of Public Works/City Engineer

**RECOMMENDATION:**

**FINAL ACTION:**

17. Discussion and any necessary action regarding Water Rate Adjustments, Public Hearings

**PRESENTATION:** Terry Hagen, Director of Public Works/City Engineer

**RECOMMENDATION:**

**FINAL ACTION:**

18. Discussion and any necessary action regarding the consideration for financial participation in the development of an Olive Garden restaurant within "The Plaza" at Imperial Valley, located at the southern corner of Dogwood Avenue and Danenberg Drive

**PRESENTATION:** Marccela Piedra, Director of Economic Development

**RECOMMENDATION:**

**FINAL ACTION:**

## **7:00-7:30 DEPARTMENT REPORT:**

19. Presentation of the Annual Budget FYE 2013 – Enterprises, Special Revenue and Capital Projects funds.

**PRESENTATION:** Leticia Salcido, Finance Director

**FINAL ACTION:**

## **INFORMATIONAL ITEMS:**

20. Rejection of the claim of Diana Martinez and CJ Williams, as recommended by insurance carrier and pursuant to Resolution No. 98-49
21. Received and filed Financial Statements and Supplemental Information for fiscal year ending June 30, 2011 from the Imperial Valley Housing Authority.
22. Received and referred to Planning Department, Application for Alcoholic Beverage License regarding the following:
  - a. Italianos, 1523 West Main St., El Centro.
  - b. Lucky 6227, 351 Wake Ave., El Centro

## **SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY- None**

### **HOUSING AGENCY- None**

### **7:30-7:35 (Time may vary) –PUBLIC COMMENTS**

*The City Council welcomes your input. At this time, members of the public may address the City Council on any matter not listed on the posted agenda. Pursuant to the Brown Act, no action will be taken on any issue brought forth under Public Comments. Please complete a "Speaker Slip" and submit it to the City Clerk prior to the start of the meeting. Unless the Mayor extends the time, there is a three (3) minute time limit for each public presentation.*

### **7:35-7:35 COUNCIL RECESS**

### **7:35-7:40 TASK FORCE REPORTS**

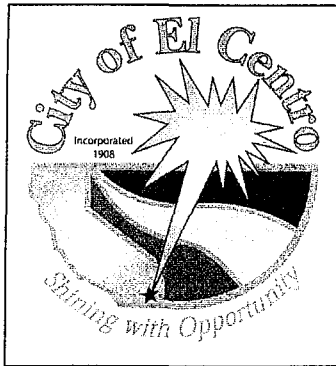
### **7:40-7:45 MAYOR AND COUNCIL MEMBERS REPORTS**

*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. (\_\_\_\_\_)*

**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 48 hours prior to the meeting will enable the City to make reasonable arrangement to assure accessibility to this meeting.**



**Office of the City Attorney**  
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**OFFICE OF CITY ATTORNEY**  
By Kris Becker

**STATEMENT FOR MAYOR OR CHAIRPERSON**  
**PRIOR TO CLOSED SESSION**

(Government Code Section 54954.4, 54957.7)

X Regular \_\_\_ Adjourned Regular \_\_\_ Special Meeting of May 1, 2012 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)** \_\_\_\_\_; Case No. \_\_\_\_\_
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 are **(provide number)** 1 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 is/are \_\_\_ (**provide number**) \_\_\_ such potential case(s). (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. X The Agency will recess to closed session pursuant to Government Code Section 54957.6 to meet with **Ruben Duran, Teri Brownlee** (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 **Water Treatment Plant; Wastewater Treatment Plant; Police Officers Assoc; Firefighters Assoc; Fire Safety Mgmt; General Employees; Police Sergeants Assoc; Supervisory Mgmt** \_\_\_\_\_ (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).