



# AGENDA

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

Regular Meeting  
August 7, 2012

11:30 A.M.

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

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

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

**11:30 A.M. Closed Session - 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 Successor 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.

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

### **6:05-6:10 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 El Centro Chamber of Commerce

### **6:10-6:15 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/City Council as Successor Agency to the Redevelopment Agency /Housing Agency Minutes for July 17, 2012.
3. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, DECLARING SURPLUS EQUIPMENT TO BE NEEDED FOR A PUBLIC USE AND AUTHORIZING ITS DONATION TO THE IMPERIAL COUNTY HISTORICAL SOCIETY FOR THE PIONEER PARK MUSEUM
4. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO RESCINDING RESOLUTION NO. 85-51 RELATING TO ESTABLISHING THE COMPENSATION FOR THE MEMBERS OF THE PERSONNEL APPEALS BOARD AND RE-ESTABLISHING THE COMPENSATION FOR THE MEMBERS OF THE PERSONNEL APPEALS BOARD
5. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO DECLARING LOST OR UNCLAIMED PROPERTY TO BE NEEDED FOR A PUBLIC USE AND AUTHORIZING ITS DONATION TO THE CENTINELA STATE PRISON
6. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AUTHORIZING APPLICATION FOR FUNDS FOR THE STATE-LOCAL PARTNERSHIP PROGRAM UNDER THE PROPOSITION 1B HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006 FOR THE 2013 STREET REHABILITATION PROJECT
7. Approval of the plans and specifications for the SR-86 and I-8 Landscape Beautification project along with authorization allowing staff to release for bidding.
8.
  - a. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AGREEMENT WITH PUBLIC SERVICE PROVIDERS IDENTIFIED IN THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR ACTION PLAN (2012-2013) FOR FUNDING FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE ENTITLEMENT GRANTEE PROGRAM
  - b. Authorize the necessary City Departments to execute their respective sub-recipient agreement and expend the funds allocated in the 2012-2013 CDBG Action Plan

9. Approval of Resolution No. 12- , A RESOLUTION OF THE CITY COUNCIL OF EL CENTRO APPROVING THE PROJECT JOBS (JOINT OPPORTUNITIES IN THE BUSINESS SECTOR) LOAN GUIDELINES
10. Approving the adoption of the job description for the new position of Assistant Community Development Director.
11. Approving the adoption of the job description for the new position of Financial/Utility Billing Assistant.

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

**FINAL ACTION:**

## **6:15-7:00 PUBLIC HEARINGS**

12. Public hearing to be held on the disestablishment of the Downtown Business Improvement District (BID).

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

**RECOMMENDATION:** Approval of Ordinance No. 12- , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO DISESTABLISHING THE EL CENTRO DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, waive reading and pass as a 1<sup>st</sup> Reading

**FINAL ACTION:**

13. Public Hearing to consider the recommendation of the Planning Commission on the amendments to conditions of approval for the 8<sup>th</sup> Street Vesting Tentative Subdivision Map.

**PRESENTATION:** Norma M. Villicana, AICP, Director of Planning and Zoning

**RECOMMENDATION:** Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AMENDMENT TO CONDITIONS OF APPROVAL FOR THE 8<sup>TH</sup> STREET VESTING TENTATIVE SUBDIVISION MAP

**FINAL ACTION:**

14. Public hearing to solicit public input on the 2011-2012 Consolidated Annual Performance Evaluation Report (CAPER) and authorize staff to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD).

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

**RECOMMENDATION:** Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT 2011 AS PART OF THE END OF THE YEAR REQUIREMENT REPORT PROVIDED TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE ENTITLEMENT GRANTEE PROGRAM

**FINAL ACTION:**

### **7:00-7:30 NEW BUSINESS**

15. Discussion and any necessary action regarding the relinquishment of State Route 86.

**PRESENTATION:** Ruben A. Duran, City Manager

**RECOMMENDATION:**

**FINAL ACTION:**

16. Discussion and any necessary action regarding the determination of the City's position on the proposed 2012 League of California Cities Annual Conference Resolutions.

**PRESENTATION:** Mayor Sedalia Sanders

**RECOMMENDATION:**

**FINAL ACTION:**

17. Discussion and any necessary action regarding the appointment of two (2) City Council Members to the Joint Land Use Study (JLUS) NAF El Centro Policy Group.

**PRESENTATION:** Mayor Sedalia Sanders

**RECOMMENDATION:** \_\_\_\_\_

**FINAL ACTION:**

## INFORMATIONAL ITEMS:

18. Received and referred to Planning Department, Application for Alcoholic Beverage License regarding the following:
  - a. Fillco, 1302 So. 4<sup>th</sup> Street, El Centro, CA
  - b. ARCO AM PM 82302, 1499 W. Main Street, El Centro, CA
  - c. ARCO AM PM 82300, 398 Aurora Drive, El Centro, CA
19. Received and filed Planning Commission minutes for regular meeting of June 12, 2012.
20. Received and filed notification of closure of River Ranch Fresh Foods El Centro Processing Facility and Cooling and Shipping Facility.
21. Received and filed Time Warner Cable Programming Update July 18, 2012.
22. Received and filed Planning Commission decision letter regarding Conditional Use Permit No. 11-04.
23. Notification of Rejection of Claim regarding Robert Shields as recommended by our insurance carrier.
24. Proclamation of Local Emergency issued by Tony Rouhotas, Jr., Asst. Dir. of Emergency Services.

### **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.*

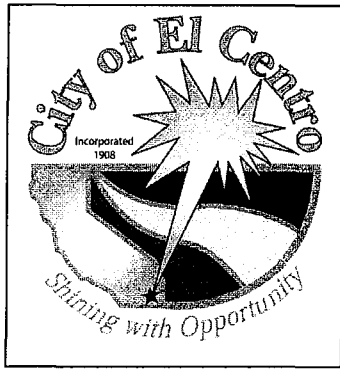
### **SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY - None**

### **SUCCESSOR HOUSING AGENCY- None**

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

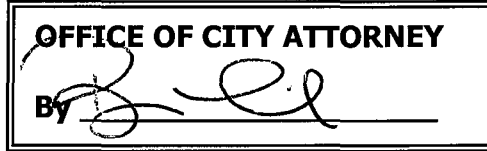
**Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet will be available for public inspection at the Office of the City Clerk, 1275 Main Street, El Centro, California 92243, Monday-Friday during normal business hours.**

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

(Government Code Section 54954.4, 54957.7)

  X   Regular      Adjourned Regular      Special Meeting of   August 7, 2012   of the  
**City Council** name of Agency; i.e., City Council, Redevelopment Agency, other named committee).

**PENDING LITIGATION.**

1.   X   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.   X   The title of the litigation is **(specify by reference to claimant's name, names of parties, case or claim numbers) Rebecca Fajardo v. City; Case No. 12-CV 1521H NLS; Countryside v. City of El Centro, Case No. ECU-04457**
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) 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)).

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  Wastewater Treatment Plant Operators; Water Treatment Plant Operators; Firefighters Association; Police Officers' Association  (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.  X  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)).
  - X  (b) consider the evaluation of the performance of the  City Manager .
  - X  (c) discuss the employment agreement of the  Planning & Zoning Director
  - (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).