



**NOTICE OF A SPECIAL MEETING  
OF THE EL CENTRO CITY COUNCIL  
CITY OF EL CENTRO, CALIFORNIA**

NOTICE, is hereby given, as required, that Mayor Ben Solomon has called a Special Meeting to be held:

**WEDNESDAY, NOVEMBER 14, 2012  
AT 5:00 P.M.  
AT  
EL CENTRO CITY HALL  
CONFERENCE ROOM 'A'  
1275 MAIN STREET  
EL CENTRO, CALIFORNIA 92243**

**For the Purpose of Closed Session (see attached closed session statement)**

**NO OTHER BUSINESS WILL BE TRANSACTED.**

DATED: November 13, 2012

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L. Diane Caldwell, CMC  
City Clerk



# City Council Agenda

El Centro City Hall  
Conference Room "A"  
1275 Main Street  
El Centro, California

## SPECIAL MEETING

Wednesday, November 14, 2012  
5:00 P.M.

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

City Clerk: Diane Caldwell  
City Manager: Ruben Duran  
City Attorney: Kris Becker

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

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 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, 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.

5:00 p.m.      **CALL TO ORDER: Roll-Call**  
**PLEDGE OF ALLEGIANCE & INVOCATION**

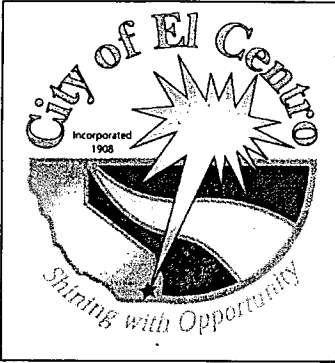
1. Closed Session – See Attached Closed Session Statement.

***NO OTHER BUSINESS WILL BE TRANSACTED***

### ADJOURNMENT:

*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**  
1275 Main Street  
El Centro, CA 92243  
(760) 337-4535 • Fax (760) 352-2246

Kris M. Becker  
City Attorney  
[kbecker@cityofelcentro.org](mailto:kbecker@cityofelcentro.org)

**OFFICE OF CITY ATTORNEY**  
By Kris M. Becker

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

       Regular        Adjourned Regular   X   Special Meeting of **November 14, 2012** of the  
**City Council** (City Council; Successor Agency to the Redevelopment Agency or Financing Authority)

**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 part. (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) **City v. Countryside, 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).
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**

The Agency will recess to closed session with its attorney regarding anticipated litigation in that:

5.        **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).
6.        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).
7.        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 case(s). (Government Code Section 54956.9(c).

**JPA INSURANCE CLAIMS DISCUSSIONS**

8. \_\_\_\_\_ 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**

9. \_\_\_\_\_ 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).
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).

### LABOR RELATIONS NEGOTIATIONS

13. \_\_\_\_ 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 with \_\_\_\_ (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

14. \_\_\_\_ 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 \_\_\_\_ (specify position(s)).
  - \_\_\_\_ (c) discuss the employment agreement of the \_\_\_\_ (specify position(s)).
  - \_\_\_\_ (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

15. \_\_\_\_ 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

16. \_\_\_\_ 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).