

PLEASE NOTE:

**EL CENTRO CITY COUNCIL
MEETING WILL BE HELD AT
12:00 P.M. (NOON)
ON TUESDAY,
DECEMBER 18, 2012**

**NO EVENING SESSION
WILL BE HELD**



AGENDA

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

**Adjourned Regular Meeting
December 18, 2012**

12:00 P.M. (Noon)

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

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

12:00 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

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.

12:00-12:00 PRESENTATIONS AND ANNOUNCEMENTS BY MAYOR

12:00-12:00 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.

12:00-12:05 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 November 2012.
2. Approval of the Treasurer's Report for November 2012.
3. 2nd Reading and Adoption of Ordinance No. 12-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AMENDING SECTIONS 29-34 OF DIVISION ARTICLE 1, ENTITLED DEFINITIONS AND SUBSECTION (b) TO TABLE 29-69.1 OF SECTION 29-61, DIVISION 4, ARTICLE II OF THE EL CENTRO CITY CODE ENTITLED MANUFACTURING ZONES USE REGULATIONS, waive reading and adopt by title only.
4. Approval of the Demolition Loan Program funded by the 2012/13 Community Development Block Grant Entitlement Program
5. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING A SERVICE AGREEMENT WITH DISCOVERY BENEFITS, INC. AS ADMINISTRATOR FOR CITY OF EL CENTRO'S FLEXIBLE SPENDING ACCOUNT
6. Approval of Resolution No. 12- , RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO APPROVING AN AGREEMENT WITH THE IMPERIAL COUNTY WORK TRAINING CENTER, INC. FOR CLEANING AND UPKEEP OF CITY PARK RESTROOMS, RAMADA/SNACK AREAS AND PLAYGROUNDS
7. Approval of the Bidder Prequalification Packet for the Adams Avenue Indoor Sports Complex Project and authorize staff to publish the packet to begin the prequalification procedure.
8. Accept the resignation of James P. Kelly with regrets from the Building Board of Appeals and authorize City Clerk to advertise vacancy.

RECOMMENDATION: Approval of the Consent Agenda as presented.

FINAL ACTION:

12:05-12:15 NEW BUSINESS

9. Discussion and any necessary action regarding the repealing of Article II of Chapter 20 of the Code dissolving the Community Development Commission.

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 REPEALING ARTICLE II OF CHAPTER 20 OF THE CITY CODE DISSOLVING THE COMMUNITY DEVELOPMENT COMMISSION, waive reading and pass as a 1st Reading

FINAL ACTION:

10. City Council Appointments:

IVAG Rep: _____ Alt: _____

LTA: _____ SAFE: _____

CJPIA Rep: _____ Alt: _____

ECRMC Rep: _____ Ex-officio _____

Air Pollution Control: (Mayor Pro-Tem): _____ Alt.(Mayor) _____

Airport Advisory Committee: _____

Imperial County Film Commission: _____

Chamber of Commerce Rep: (Mayor Pro-Tem) _____ Alt.(Mayor) _____

United Way – Emergency Food & Shelter Program Rep: _____ Alt: _____

Mexicali Liaison: _____

Citizen Advisory Committee (Centinela Prison): _____

Transfer Station Working Committee Rep: _____ Alt: _____

Policy Working Groups and Task Forces (if needed)

- Affordable Housing Policy Working Group
- Downtown Revitalization (Vendor Preference Task Force)
- Regional Cooperation
- Community Enhancement Task Force
- City Charter Task Force
- Council Chambers ADA Committee
- Joint Land Use (JLUS) NAF Policy Group
- Strategic Planning Task Force

PRESENTATION: Benjamin James Solomon, III, Mayor

RECOMMENDATION:

FINAL ACTION:

INFORMATIONAL ITEMS

11. Received and filed Oversight Board of the Successor Agency to the El Centro Redevelopment Agency Minutes of October 9, 2012.

SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

No scheduled business

SUCCESSOR HOUSING AGENCY

No scheduled business

12:15-12:20 (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.

12:20-12:20 COUNCIL RECESS

12:20-12:20 TASK FORCE REPORTS

12:20-12:25 MAYOR AND COUNCIL MEMBERS REPORTS

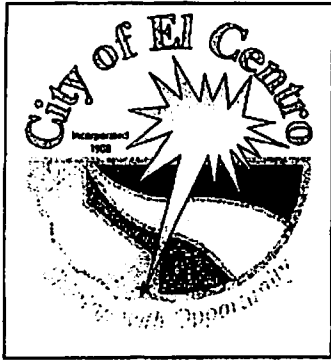
Council Members reports on conferences or other City activities. Time limit 3 minutes.

12:25 P.M. CLOSED SESSION (See attached Closed Session Statement)

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

Kris M. Becker
City Attorney
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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 Special Meeting of December 18, 2012 (date) of the City Council (City Council; Successor Agency to the Redevelopment Agency or Financing Authority)

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 part. (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) City of Bellflower et al. v. Matosantos et al. (AB 1484)
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) 1 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 is/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).