

**CALL TO ORDER**

Mayor Tovas called the meeting to order at 4:06 p.m.

**ROLL CALL**

Mayor James A. Tovas, Vice Mayor Fred W. Robinson and Councilmember Ralph J. Fernandez responded to roll call. Also, present was Interim City Manager Clifford E. Finley and City Attorney Karl H. Berger.

**PUBLIC COMMENT**

There was no public comment.

City Attorney Berger reported that Mr. Gonzales would like to listen to the open session via telephone; the meeting was not noticed for telephonic participation, so Councilmember Gonzales could not be part of the quorum, participate in the discussion, or vote.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to move into closed session. All were in favor and the motion carried.

City Attorney Berger announced that the City Council will recess to closed session in accordance with Government Code Section 54957 to discuss appointment of city manager.

**CLOSED SESSION**

Mayor Tovas recessed the City Council to a closed session at 4:15 p.m., and reconvened the City Council at 4:35 p.m. No reportable action.

**OPEN SESSION**

- A. Appointment of City Manager; Approval of Employment Contract.- Consideration and possible action to appoint Mr. Jaime Fontes as City Manager beginning February 15, 2010 and approving Mr. Fontes's employment contract.

Recommended action: (1) Appoint Jaime Fontes as City Manager beginning February 15, 2010; (2) Authorize the Mayor to execute

an employment contract with Mr. Fontes in a form approved by the City Attorney; and (3) take such additional, related, action that may be desirable.

City Attorney Karl Berger's report dated December 15, 2009.

**PUBLIC COMMENT**

Councilmember Gonzales stated by phone that he regrets that he is unable to attend the meeting in person or participate in the vote, but voiced his support for the recommended action.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Robinson to appoint Mr. Jaime Fontes City Manager effective February 15, 2010 and authorize the Mayor to execute an employment contract with Mr. Fontes in a form approved by the City Attorney. Councilmember Fernandez, Vice Mayor Robinson and Mayor Tovas were in favor under roll call vote

**ADJOURNMENT**

Mayor Tovas adjourned the closed session at 4:40 p.m.

ATTEST:

\_\_\_\_\_  
Judy Rice, City Clerk