



**OFFICIAL PROCEEDINGS
IMPERIAL COUNTY BOARD OF SUPERVISORS
REGULAR BOARD MEETING
SEPTEMBER 3, 2002**

1. Meeting was called to order by Board Chairman Hank Kuiper. Supervisors Tony P. Tirado, Joe Maruca, Gary Wyatt and Wally Leimgruber were present.
2. Convened to Closed Session and considered the following:
 - a. Government Code Section 54956.8 – Conference with Real Property Negotiator – Property is located at 1099 Airport Road, Imperial, Ca. (identified as the undeveloped real property located east of runway 3214) Discussion will concern price and terms of payment - Parties with whom negotiating is Dick Becker. No Action Taken.
 - b. Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation – Alvarado vs. County of Imperial – County of Imperial Superior Court Case No. L00175. Direction was given to staff.
 - c. Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation – Baker vs. County of Imperial – Imperial County Superior Court Case No. L00026. Direction was given to staff.
 - d. Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation – Duarte vs. County of Imperial – United States District Court, Southern District of California Case No. 97 CV 2047 L. Direction was given to staff.
 - e. Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation – Harvey vs. County of imperial – Workers Compensation Claim # 07439002218. Direction was given to staff.
 - f. Government Code Section 54956.8 – Conference with Real Property Negotiator – Property is located at 2975 E. Norrish Road, Holtville, Holtville Airport – Parties with whom negotiating is Combat Heritage. Direction was given to staff.
 - g. Government Code Section 54956.8 – Conference with Real Property Negotiator – Property is described as Imperial Valley Expo/California Mid-Winter Fair Grounds – Parties with whom negotiating is State of California. Direction was given to staff.
 - h. Government Code Section 54956.9(b) (1) – Conference with Legal Counsel – Potential Litigation (2 items). Direction was given to staff.
3. Open Session
Invocation and Pledge of Allegiance was led by Suzi Jacobson, of United Methodist Church, El Centro.
4. Approved the Agenda as amended.
5. Approved Official Proceedings of August 9 (Special Meeting) and 13 August 9, 2002.
6. Approved Consent Calendar Agenda as amended.
7. Public Comments
 - a. Ms. Maureen Stapleton, General Manager, San Diego County Water Authority, gave presentation on Water Transfer.

- b. Greg Thompson, Bureau of Land Management, commented on Imperial County Sand Dunes.
 - c. Randy Rister, Director, County Property, gave status of wetlands
8. Reports/Correspondence/Announcements of Officers
Ann K. Capela, County Executive Officer, informed the public that the proposed budget is available for viewing. Bob Ham, Intergovernmental Director, reported on status of California State's Budget. Supervisor Wyatt reported on Payment Lieu of Taxes (PILT) conference in Washington D.C. Supervisor Kuiper attended meeting in Mexicali on August 22, 2002, to sign mutual aid fire safety agreement between City of Mexicali and County of Imperial.

New Business:**Special Meeting**

Adjourned as the Board of Supervisors; convened as the Gateway CSA Board:

9. Continued to 09-10-02 – Discussion/action regarding the Gateway of the Americas Project, including change orders, construction and contracts.
10. Board appointed Tim Jones, Director, Public Works, to serve as the CSA Engineer, with all fees subject to reimbursement.
Adjourned as the Gateway CSA Board; reconvened as the Board of Supervisors.

Special Meeting

Adjourned as the Board of Supervisors; convened as the Air Pollution Control District.

11. Approved and authorized Chairman to sign agreement with Environ International Corporation for evaluating methodologies to calculate windblown dust emissions.
12. Approved encumbrance of \$9,000 from clean air funds for use of dust mitigation purposes contingent upon approval of Brawley Union High School/City of Brawley Skateboard Park.
Adjourned as the Air Pollution Control District Board; reconvened as the Board of Supervisors.

PLANNING/BUILDING

13. After the public hearing, the board approved Change of Zone #02-0002, as submitted by Casey Mostrong, proposing to re-zone from M-1-U (Light Industrial) to A-1-U (Light Agricultural Urban Area) for the parcels requested as Approved by the Planning Commission.
 - a. Approved the mitigated negative declaration by finding that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project. As determined by the environmental evaluation committee on May 9, 2002.
 - b. Made the De Minimus finding as recommended by the Environmental Evaluation Committee, that the proposed project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in section 711.2 of the fish and game codes.
 - c. Made the finding that the proposed change of zone is consistent with the County's general plan and land use element.
 - d. Approved and authorized the Chairman to sign the ordinance no. 1352, section 92512.04, amendment to zoning map number 12 ("Heber Area").

Consent Calendar:**AGRICULTURAL COMMISSIONER**

14. Approved and authorized staff member to attend meetings with USDA and other officials in Washington D.C. September 7-11, 2002.

15. Approved and authorized for two staff members to attend environmental training in Las Vegas, Nevada, September 4-6, 2002.

AIRPORT

16. Approved and authorized Chairman to sign lease modification agreement of 2002 between Combat Heritage Foundation, and County of Imperial (Holtville Airport).
17. Approved the following actions:
 - a. Approved and authorized the Chairman to sign contract with South Western Sealcoating Inc. for the application of Magnesium Chloride to a test area for control of dust at the Imperial County Airport and Authorized payment of \$9,394.

EXECUTIVE OFFICE

18. Read title, waived second reading, and adopted ordinance no. 1351, entitled, "An Ordinance of the County of Imperial Imposing a Public Safety Transactions and Use of Tax to be administered by the State Board of Equalization."
19. Approved resolution no. 2002-92, entitled, "Resolution Approving an Agreement to Establish Transfer of Property Tax Revenues Between the County of Imperial and the City of El Centro for Annexation No. EC 1-03 (John Ryerson-West Main Water Association)".

HUMAN RESOURCES

20. Approved and authorized the Chairman to sign two-year agreement with Barney & Barney for consulting services in amount not to exceed \$78,000.

PUBLIC HEALTH

21. Approved recruitment and hiring of an Environmental Health Specialist III at Step "E" range.

PUBLIC WORKS

22. Approved the following actions:
 - a. Accepted the work of improvement and relieved the contractor of responsibility for the water and sewer infrastructure and related components for the infrastructure improvements for the Gateway of the Americas; Infrastructure Improvements; EDA Award No. 07-01-03878.
 - b. Authorized County Counsel to prepare the Notice of Completion, covering all water and sewer infrastructure and related components only.
 - c. Authorized Public Works to execute the Notice of Completion.
 - d. Authorized the final payment to be made within thirty-five days after filing of the Notice of Completion.

SHERIFF-CORONER

23. Authorized Sheriff's Lieutenant to attend Enterprise Installation course in Las Vegas, Nevada.

Other Items:

24. Current demands were ordered paid.
25. Miscellaneous reports were ordered filed:
 - a. Planning/Building – Information item – building permit averages for July 2002.
 - b. Siskiyou County – Assessment Practices Survey, July 2002
 - c. Committee of the Whole Proceedings, August 12, 2002

Emergency Item:

BOARD OF SUPERVISORS

26. Approved letter to Honorable Marco Firebaugh, requesting a legislative hearing on the transport of natural gas to border power plants. Authorized the Chairman to sign.
27. The next regular Board of Supervisors meeting was scheduled for Tuesday, September 10, 2002 at 9:30 a.m., Board Chambers, 940 Main Street Suite 211, El Centro, California.
28. Meeting adjourned at 12:26 p.m.

**Albert Espinoza
Clerk of the Board**