



OFFICIAL PROCEEDINGS

SUPERVISORS:

DISTRICT 1 – Victor Carrillo

DISTRICT 2 – Larry Grogan

DISTRICT 3 – Joe Maruca

DISTRICT 4 – Gary Wyatt

CHAIRMAN

DISTRICT 5 – Wally Leimgruber

IMPERIAL COUNTY BOARD OF SUPERVISORS

TUESDAY, JULY 26, 2005

EXECUTIVE OFFICER

Robertta Burns

COUNTY COUNSEL

Ralph Cordova, Jr.

CLERK OF THE BOARD

Sylvia Bermudez

1. Meeting was called to order by Board Chairman Wally Leimgruber. Supervisors Victor Carrillo, Larry Grogan, Joe Maruca, Gary Wyatt and Wally Leimgruber were present. The Board motioned to convene to Closed Session.
2. Closed Session
 - a. **Government Code §54954.5b** Personnel, Public Employee Performance Evaluation of position of County Executive Officer. *Direction given to staff*
 - b. **Government Code §54956.8** Conference with Real Property Negotiator. Property is located at 1099 Airport Rd, Imperial, Ca. Parties with whom negotiating is Visco Flying. Instructions to Negotiator will concern price and terms of payment. *Direction given to staff.*
 - c. **Government Code §54956.8** Conference with Real Property Negotiator. Property is described as 4145 Hwy 86, Brawley, CA. Instructions to Negotiator will concern price and terms of payment. *Direction given to staff.*
 - d. **Government Code §54956.9(b) (1)** Conference with Legal Counsel, Potential Litigation (2 items) *Direction given to staff.*
3. Announcement of Closed Session Actions.
4. Open Session - Invocation and Pledge of Allegiance was led by Father Michael Edegi, of St. Mary's Catholic Church, El Centro, CA.
5. Approved the Agenda as amended.
6. Approved the Consent Calendar as amended.
7. Approved the following Official Proceedings.
 - a. Official Proceedings, Tuesday, July 19, 2005
 - b. Official Proceedings, Budget Hearings, June 27, 2005
8. Board Member Reports/Announcements – Supervisor Wyatt reported on his attendance to the NACO Conference. Supervisor Joe Maruca announced the Imperial Valley Memorial Gardens Committee would be meeting later in the week. Supervisor Victor Carrillo informed the audience effective August 2, 2005 open session will begin at 8:30a.m. Supervisor Wally Leimgruber reported on his meeting in Ventura County on Thursday regarding the desert lands. Supervisor Larry Grogan had no report.
9. Special Presentations:
 - a. Approved Resolution No. 2005-057, Honoring Dennis Ramos for receiving his Eagle Scout Award.
 - b. The Board recognized the following County Employees who reached a Milestone Anniversary for August 2005:

FIVE YEARS

Amelia Rosas-Carlos, Behavioral Health
Pauline Shores, Sheriff-Coroner

Andrea Shelton, Behavioral Health
Abelardo Jerez, Property Services
Francisco Piedra, Probation & Corrections

Peter Rodriguez, Behavioral Health
 Michael Tirado, Assessor
 Lillian Vera, Behavioral Health
 Lupe De La Rosa, Behavioral Health

TEN YEARS

Octavio Alavrez, Public Works
 Socorro Urias, Social Services
 Ernesto Wyles, Probation & Corrections
 Andrea Bowers, Public Health
 Luis Bermudez, Public Works

Becky Escobar, Behavioral Health
 Gloria Cervantes, Behavioral Health

FIFTEEN YEARS

Miguel Ojeda, Social Services
 Agustine Sadorra, Child Support

Manuela Ontiveros, Social Services
 Deborah Soto, Social Services
 Jose Aguirre, Social Services
 Gary Andrews, Social Services
 Mercedes Banuelos, Social Services

TWENTY YEARS

Victor Carrera, Agricultural Commissioner
TWENTY FIVE YEARS

Pedro Salgado, Probation & Corrections
 Cynthia Perdomo, Social Services

THIRTY YEARS

Rose Mary Inman, Behavioral Health
 Benny Inay

THIRTY FIVE YEARS

Larry Alvarez, Property Services

10. **PUBLIC COMMENTS** – Dionisa Madrigal commented on salary wage increases and health benefits for IHSS workers. Cliff Hurley commented on the transmission lines. Linda Cooke and Jeff Green commented on the Imperial Valley Memorial Gardens Cemetery. James Brownyard commented on information requested under Government Code 66006 regarding budgetary reports.

ACTION CALENDAR

AGRICULTURAL COMMISSIONER

11. Approved submission of the 2004 Annual Imperial County Agricultural Crop and Livestock Report.

FIRE PROTECTION/OES

12. Approved and authorized the Chairman to sign fire protection agreement between the County of Imperial and the City of Imperial.

13. **MOTION FAILED** - Ordinance Amending the Codified Ordinances of the County of Imperial Relating to Fireworks.

IMPERIAL COUNTY OFFICE OF EDUCATION

14. Approved the following actions:
- a. Authorized the County of Imperial to partner with Imperial County Office of Education in the Emergency Response Crisis Management (ERCM) Grant Application.
 - b. Authorized the County Fire Chief, County Sheriff-Coroner, County Probation Chief, Public Health Director, Behavioral Health Director and County Executive Officer to sign the Partner Agreement for the Emergency Response Crisis Management (ERCM) Grant Application.

PROBATION & CORRECTIONS

15. Approved the following actions:
- a. Approved 2002-2005 Three Year Plan Contract be continued through June 30, 2006.
 - b. Approved Children’s Trust Fund monies of \$36,000 distributed between Child Abuse Prevention and Sure Helpline.
 - c. Designated the Probation & Corrections Department to continue as the public agency to administer the CAPIT, CBCAP and Children’s Trust Fund Programs for 2005-2008.
 - d. Authorized the Chairman to sign the Notice of Intent for continuation of funding for 2005-2008.

EXECUTIVE OFFICE

16. Approved the following tentative actions for the proposed budget for the FY 2005-2006:
- a. **Planning & Development Services**
 - i. Increase account #1040001-550000 Structures & Improvements in the amount of \$3,500.
 - ii. Decrease account #1004001-550000 Structures & Improvements in the amount of \$3,500.
 - iii. Increase account #1004001-520000 Maintenance Structures, Improvements & Grounds in the amount of \$3,500.

b. Planning & Development Services

- i. Approved the formation of a Joint Powers Authority (JPA) to activate and manage the foreign trade zone to be called the Imperial County FTZ #257 and to become a member Local Public Agency in Imperial County Foreign Trade Zone Joint Powers Authority.
- ii. Appointed the CEO to the Board of Directors of the Joint Powers Authority and designate the Director of Planning & Development as the alternate.
- iii. Authorized the Planning & Development Services Department to pay the required fair share financial contributions required by the JPA.
- iv. Allocate funding of \$10,000 from the general fund to FTZ Account #7348000-301000.
- v. Increase fund account #1062001-546105, contributions to others-public assistance by \$10,000.

c. Library

- i. Approved and authorized the Chairman to sign agreement #0506-4791 with the Imperial County Families First Commission for independent contractor services.
- ii. Augment revenue and approved expenditures for Imperial County Families First Commission Grant for the “Buenos Saludos Project”.

d. Sheriff-Coroner – Approved for immediate action:

- i. Approved purchase of materials for the construction of a new basketball courtyard in the amount of \$10,000 for the Regional Adult Detention Facility.
- ii. Authorized payment for the needed items from Fund #71990000-301000, Inmate Welfare.

e. Sheriff-Coroner - Approved for immediate action:

- i. Authorized the purchase of needed storage, tools and supplies to begin a grounds-keeping and small engines program at the Imperial County Sheriff’s Department. (refer to attachment “A”).
- ii. Authorized the payment for the needed items from Fund #7199000-301000, Inmate Welfare.

f. Workforce Investment Board

- i. Approved the 2005-2006 Local WIA system budget
- ii. Include recommendation of requirement that all additional WIA funds that may be received during the year be reviewed and allocated by the WIB as it sees appropriate, subject to County Board approval.

HUMAN RESOURCES & RISK MANAGEMENT

17. Approved the following actions:

- a. Create within Budget Unit #1542001 one (1) Limited Term allocation for Director of Public Works, Range
- b. The specific termination date of such limited term allocation will coincide with the appointment of a successor to the current Director of Public Works.

18. CONTINUED

- a. Convert the status of position of Undersheriff from “at will” to “permanent” at Range 349.
- b. Effective date of April 18, 2005 to coincide with the selection of the current Undersheriff.

EMERGENCY ITEMS

19. Emergency items added – Please refer to Closed Session 2d – Potential Litigation and Items 30, 31 & 32 were moved to Action Agenda under 16d, 16e & 16f.

20. Items pulled from Consent Calendar for discussion – Item #38 was a duplicate; item was pulled.

SCHEDULED HEARING(S) 11:00 a.m.

❖ **FIRE PROTECTION**

21. Upon conclusion of a public hearing the board approved the following actions:

- a. Approved Ordinance No. 1394, An Ordinance Amending the Codified Ordinances of the County of Imperial Relating to the Uniform Code Adopted.

❖ **AIRPORTS**

22. Upon conclusion of a public hearing the board approved the following actions:

- a. Approved Resolution No. 2005-058, “Resolution Adopting the Rental and Landing Fee Schedule for the Imperial County Airport”.

❖ PUBLIC WORKS

23. Upon conclusion of a public hearing the board approved the following actions:
- a. Approved Resolution No. 2005-059 establishing the unit fee assessment for Niland County Service Area No. 1 at \$14.00 for FY 2005-2006.

DISCUSSION CALENDAR

**Items #24 thru #32 were discussed; Items will be placed for action on a future agenda.

24. Reports/Correspondence/Announcements of Officers:
- a. Legislation
 - b. County Executive Officer
 - c. County Counsel
 - d. Departments
 - e. Agencies
25. Connie Barrington, County Librarian, introduced and discussed the 2005-2006 agreement for contractor services with Literacy Volunteers of America/Imperial Valley.
26. Doug Newland, Auditor-Controller introduced and discussed the audit reports of Association of Retarded Citizens-Imperial Valley, Med-Express Service Contract and AIM Transit Service Contract for the periods of July 1, 2002 to June 30, 2003 and July 1, 2003 to June 30, 2004.
27. Robin Hodgkin, Director, Public Health introduced and discussed Agreement #05-45404 with California Department of Health Services Immunization Branch for Grant in the amount of \$279,080.
28. Michael W. Kelley, Chief Probation Officer introduced and discussed the High Risk/Probation Officer contract with Imperial County Office of Education.
29. Robertta Burns, County Executive Officer introduced and discussed an ordinance creating a business license for non-farm businesses operating within the unincorporated area of Imperial County.
30. **Item moved to Action Calendar, refer to 16d** - Discussion regarding purchase of materials for the construction of a new basketball courtyard in the amount of \$10,000 for the Regional Adult Detention Facility, as presented by Harold Carter, Sheriff-Coroner.
31. **Item moved to Action Calendar; refer to 16e** - Discussion regarding the purchase of storage, tools and supplies to begin a grounds keeping and small engines program at the Imperial County Sheriff's Department in the amount of \$32,000 as presented by Harold Carter, Sheriff-Coroner.
32. **Item moved to Action Calendar, refer to 16f** - Discussion regarding the 2005-2006 local Workforce Investment Board System budget as presented by Ken Phillips, Executive Director, Workforce Investment Board.

CONSENT CALENDAR**AGRICULTURAL COMMISSIONER**

33. Approved out of state travel for the Agricultural Commissioner and one staff member to attend the International Cotton Pest Work Committee Conference November 15-18, 2005 in Mazatlan, MX. No cost to the County.

AUDITOR-CONTROLLER

34. Approved and accepted audit report on the Imperial County Human Resources and Risk Management Department Cash & Control for the period of July 1, 2003 through February 28, 2005.
35. Approved and authorized the Chairman to sign agreement with Maximus for preparation of Imperial County's reimbursement claims for State Mandated Costs.

DISTRICT ATTORNEY

36. Approved Resolution No. 2005-060, regarding OES Grant – Major Narcotics Vendor Program.

LIBRARY

37. Approved Participation in the "Remote Only Live Homework Help Program" through the California State Program.
38. **PULLED** - Agreement #0506-4791 with Imperial County Children and Families First Commission for contractor services for the "Bueno Saludos Project".

PROBATION & CORRECTIONS

39. Approved and authorized the Chairman to sign agreement with NeighborCare for packaging of medication dispensed at Juvenile Hall and the Receiving Home.

PUBLIC HEALTH

40. Approved and authorized the Director of Public Health to sign agreement with Imperial County Children & Families First Commission for grant for the Imperial County Breastfeeding Coalition in the amount of \$20,000. (Original to be filed with the Clerk of the Board of Supervisors Office).
41. Approved and authorized the Director of Public Health to sign Memorandum of Understanding with Calipatria Unified, Westmorland Union Elementary, Brawley Elementary, Brawley Union High School, Imperial Unified, Seeley Union, El Centro Elementary, Central Union High, Holtville Unified, and San Pasqual Valley Unified School Districts, for Medi-Cal Administrative (MAA) billing services. (Originals to be filed with the Clerk of the Board of Supervisors Office).
42. Approved and authorized the Chairman to sign agreement with Progressus Physical Therapy to provide an occupational therapist throughout contract for the California Children's Services Program.

PUBLIC WORKS

43. Approved and authorized the Chairman to sign 6-month extension operating agreement for the continued operation of the AIM Transit for the period July 1, 2005 through December 31, 2005 with a not to exceed operating subsidy of \$266,451.43, annual marketing subsidy of \$3,500, annual fuel escalator of \$2,500 and an annual maintenance escalator of \$6,250.
44. Approved and authorized the Chairman to sign 6 month extension operating agreement for the continued operation of the West Shores Dial A Ride for the period of July 1, 2005 through December 31, 2005, with a not to exceed operating subsidy of \$44,784 and annual fuel and maintenance escalators of \$2,500 each.
45. Approved and authorized the Chairman to sign 6 month extension agreement for the continued operation of the Med-Express for the period of Jul 1, 2005 through December 31, 2005 with a not to exceed operating subsidy of \$47,270.45 an annual marketing subsidy of \$2,500, an annual fuel escalator of \$2,500 and maintenance escalator of \$2,500.
46. Approved the following actions regarding Heberwood Estate Unit No.3:
- Approved and authorized Chairman to sign Improvement Agreement.
 - Accepted bonds in the amount of \$60,058.60 for maintenance, \$6,391,743 for faithful performance, \$650,586 for labor and material, 639,174 for maintenance, \$12,000 for monumentation.
47. Approved and authorized the Chairman to sign County Landfill Groundwater Monitoring Program Modification #1 for additional work as outlined in Exhibit A, effective August 1, 2005 for an additional amount not to exceed \$16,304.
48. Approved the following actions:
- Authorized the Chairman to sign modification to agreement with Bryan A Stirrat & Associates for a not to exceed amount of \$20,000. (Upon review and approval of County Counsel).
 - Tentatively approved to increase account #158000-525010 by \$20,000 and decrease Account #158001-301000 by \$20,000 pending approval of proposed FY 2005-2006 Budget.

SOCIAL SERVICES

49. Approved and authorized the Chairman to sign the Truancy Agreement between Social Services and Imperial County Office of Education in the amount not to exceed \$60,401.

50. Approved and authorized the Chairman to sign agreement between Social Services and the Employment Development Department in the amount not to exceed \$553,878 for FY 2005-2006.
51. Approved the following actions:
 - a. Authorized the Chairman to sign Memorandum of Understanding between Social Services and Office of Employment Training.
 - b. Approved monthly lease payment of \$10,483.88 and annual payment of \$240.00 for internet connection.
52. Approved and authorized the Chairman to sign agreement between Social Services and Public Health for FY 2005-2006 in the amount of \$66,000.

OTHER ITEMS

53. Current Demands were ordered paid.
54. Miscellaneous reports were ordered filed (On file with the Clerk of the Board):
 - a. Treasurer-Tax Collector, Monthly Portfolio for June 2005 and Investment Policy FY 2005-2006
 - b. Cooperative Extension, Quarterly Report, April 1 thru June 30, 2005.
 - c. Planning & Development Services, Building Permit Averages, June 2005
55. The next regular Board of Supervisors meeting was scheduled for 8:30 a.m. Tuesday, August 2, 2005 at the County Administration Center, Board Chambers, 940 West Main Street, Suite 211, El Centro, CA. 92243.
56. The Board of Supervisors meeting adjourned at 3:15 p.m.

**SYLVIA BERMUDEZ
CLERK OF THE BOARD OF SUPERVISORS**