



OFFICIAL PROCEEDINGS

IMPERIAL COUNTY BOARD OF SUPERVISORS

TUESDAY, OCTOBER 4, 2005

SUPERVISORS:

DISTRICT 1 – Victor Carrillo

DISTRICT 2 – Larry Grogan

DISTRICT 3 – Joe Maruca

DISTRICT 4 – Gary Wyatt

CHAIRMAN

DISTRICT 5 – Wally Leimgruber

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. Invocation and Pledge of Allegiance will be led by Pastor Richard Moore of the First Southern Baptist Church, Holtville, Ca.
2. Approved the Agenda as amended.
3. Approved the Consent Calendar as amended.
4. Approved the Official Proceedings for Tuesday, September 27, 2005.
5. Board Member Reports/Announcements – Supervisor Wyatt reported on NACO's fundraising efforts for County Governments devastated by Hurricane Katrina. Supervisor Maruca reported on the Airport Advisory Committee and the proposed regional airport in Imperial County. Supervisor Grogan reported on the tour of the US Gypsum plant in Plaster City in which members of the board and staff participated. Supervisor Carrillo reported on the SCAG Regional meeting last week with various counties, states and the City of Mexicali. Supervisor Leimgruber reported on American Sand Association meeting and issues relating to the Imperial County Sand Dunes area.

ACTION CALENDAR

PUBLIC WORKS

6. The Board approved the following actions:
 - a. Rejected bids received on August 19, 2005 for the Resurfacing of Various County Roads in Imperial County, Federal Aid Project #STPL-5958(033).
 - b. Approved revised plans and specifications for the Resurfacing of Various County Roads in Imperial County, Federal Aid Project #STPL-5958(033).
 - c. Authorized the Clerk of the Board of Supervisors to advertise for bids; Bids to open on November 10, 2005 at 2:00 p.m.

PLANNING & DEVELOPMENT SERVICES

7. Report on the progress and request direction on the Circulation Element and the Geothermal Transmission Element.

AIR POLLUTION CONTROL BOARD

❖ *Adjourned as the Board of Supervisors; convene as the Air Pollution Control Board.*

8. The Board approved the following actions:
 - a. Approved the remodeling of existing building at the NAF for installation and operation of air pollution monitoring equipment
 - b. Ratified signature of Reyes Romero, Deputy Air Pollution Control Officer of the License for Nonfederal Use of Real Property Agreement.

❖ *Adjourned as the Air Pollution Control Board; reconvened as the Board of Supervisors.*

PURCHASING

9. The Board approved the following actions:
 - a. Approved and authorized the Chairman to sign a 48 month lease purchase agreement with Pitney Bowes for the replacement of 2 mailing machines.
 - b. Approved Budget Amendment Resolution 05-06-008.

BOARD OF SUPERVISORS

10. Approved support of fundraising campaign to benefit the United Way of Imperial County and designated October 10th thru October 21st, 2005 as the official campaign week.
11. Approved Resolution No. 2005-077, entitled, "A Resolution of the Board of Supervisors of the County of Imperial in Support of a Pollution Free Border Zone".

EXECUTIVE OFFICE

12. Approved the ground lease assignment and assumption agreement with "2451 Access Way LLC", for leasing of property located at 2451 Access Way, Imperial, Ca. with the following conditions:
 - a. Past due taxes will be paid from Escrow Fees.
 - b. Rent must be paid and current.
13. No emergency items added.
14. Items pulled from Consent Calendar. Item #34 was pulled.

DISCUSSION CALENDAR

**Items #15 thru #23 were discussed; Items will be placed for action on a future agenda.

15. Reports/Correspondence/Announcements of Officers:
 - a. Legislation – None
 - b. County Executive Officer - None
 - c. County Counsel – None
 - d. Departments – Fred Nippins, County Fire Chief, reported the Imperial Valley Fire Strike Team had safely returned from assisting at the Pechanga Fires.
 - e. Agencies – None
16. Discussion regarding status report on possible funding for drainage upgrades in the town site of Seeley, as requested by Supervisor Joe Maruca.
17. Discussion regarding status report on the Enterprise Zone, as requested by Supervisor Joe Maruca.
18. **CONTINUED** – Discussion regarding authorization to implement a fuel surcharge beginning with the September Mileage Report, as presented by Robertta Burns, County Executive Officer.
19. Fred Nippins County Fire Chief/OES Coordinator introduced and discussed establishment of a new fund for the 2005 State Homeland Security Program.
20. Susan Cox, Assistant Tax Collector introduced and discussed the sale of tax-defaulted property pursuant to Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code.
21. **CONTINUED** – Discussion regarding the roll-over of state funds for the County Mental Health Services Act, Community Planning Program, as requested by Michael Horn, Director, Behavioral Health.
22. **CONTINUED** – Discussion regarding NNA Alcohol and Drug, Proposition 36 and CalWORKs agreements and Mental Health Specialized Service Agreements, as requested by Michael Horn, Director, Behavioral Health.
23. Jurg Heuberger, Director, Planning & Development Services gave a status report on the recent flood of the Colorado River on August 9, 2005.

SPECIAL PRESENTATIONS / PUBLIC COMMENTS

❖ **10:15 A.M.**

24. Special Presentations:

- a. Approved proclamation, proclaiming October 2005, as “Domestic Violence Awareness Month” in Imperial County.
- b. Approved proclamation, proclaiming October 2005 as “Senior Appreciation Month”.
- c. Presented Certificates of Appreciation to members of the AAA Advisory Board.
- d. Dolores Provencio, County Clerk/Recorder/Registrar of Voters demonstrated the new voting units. The units will be used at the November 8, 2005 Election; A total of 330 machines were purchased.

❖ **10:30 A.M.**

25. **PUBLIC COMMENTS** – David Burns commented on issues relating to the Imperial Valley Memorial Gardens Cemetery.

SCHEDULED HEARING(S)

11:00 A.M.

PUBLIC HEALTH

26. Conducted a public hearing to consider the appeal of Coachella Valley Water District regarding the Notice of Public Nuisance for mosquito larvae in seepage on property adjacent to Hot Mineral Spa Road. The Board approved the following actions:
- a. Approved withdrawal of the Public Nuisance. Department of Public Health may re-file the Public Nuisance if Coachella Valley Water District does not comply with the conditions set.

CLOSED SESSION

27. Motioned to convene to Closed Session

- a. **Government Code §54956.9(a)** Conference with Legal Counsel, Existing Litigation, QSA Coordination Proceeding, Superior Court, County of Sacramento, Case No. JC4353. *Direction given to staff.*
- b. **Government Code §54956.9(b)(1)** Conference with Legal Counsel, Potential Litigation. *Item not discussed.*

28. Announcement of Closed Session Actions.

CONSENT CALENDAR

AGRICULTURAL COMMISSIONER

29. Approved and authorized the Agricultural Commissioner to sign agreement between the California Crop Improvement Association and the Agricultural Commissioner’s office, in the amount of \$5,500. (Original to be filed with the Clerk of the Board of Supervisor’s Office).

DISTRICT ATTORNEY

30. The Board approved the following actions:

- a. Approved appropriation and expenditure of funds for the purchase of equipment to support as connection to the Department of Justice Services in the approximate amount of \$ 2,865.64 (*see attachment for list of equipment*).
- b. Approved Budget Amendment Resolution No. 05-06-005.

PLANNING & DEVELOPMENT SERVICES

31. The Board approved the following actions:

- a. Approved and authorized the Chairman to sign amendment to the contract with Convert a Doc increasing amount by \$20,000.
- b. Approved Budget Amendment Resolution No. 05-06-006.

32. Approved Budget Amendment Resolution No. 05-06-007, authorizing the transfer of \$3,700 from the General Fund Contingencies Account to the Maintenance Equipment Account #1035001-519000, for upgrades to the Permits Plus Program.

PROBATION & CORRECTIONS

33. Approved and authorized the Chief Probation Officer to sign contract for Diagnostic and Treatment Services Contract Number C05.137 with the California Department of Youth Authority. (Original to be filed with the Clerk of the Board of Supervisor’s Office).

SHERIFF-CORONER

34. **PULLED** - Approval of purchase of ice machine in the amount of \$2,600 from Calexico Restaurant Supply and authorized payment from prior year Federal Asset Forfeiture equipment account #1670001-549000.

OTHER ITEMS

35. Miscellaneous reports were ordered filed (On file with the Clerk of the Board):
- a. Planning Commission – September 28, 2005 Minutes.
 - b. Agricultural Commissioner/Director of Weights/APCD Officer – Report for the month of August 2005.

SUPPLEMENTAL ITEMS

PUBLIC WORKS

36. The Board approved the following actions regarding Tract Map 952, McCabe Ranch.
- a. Approved Final Tract Map 952 Unit No 2, McCabe Ranch.
 - b. Accepted road rights of way and public utility easements.
 - c. Accepted the bonds as security in the amounts of \$5,015,216.14 for performance; \$4,953,176.14 for labor and material; and \$62,400 for monumentation.
 - d. Approved and authorized the Chairman to sign Improvement Agreement.
37. The Board of Supervisors meeting adjourned at 12:00 p.m. The next regular Board of Supervisors Meeting was scheduled for 8:30 a.m. Tuesday, October 11, 2004 at the County Administration Center, Board Chambers, 940 West Main Street, Suite 211, El Centro, Ca. 92243

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