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BOARD MEMBERS:

DISTRICT 1 – Victor Carrillo

CHAIRMAN

DISTRICT 2 – Larry Grogan

DISTRICT 3 – Joe Maruca

DISTRICT 4 – Gary Wyatt

DISTRICT 5 – Wally Leimgruber

OFFICIAL PROCEEDINGS

**REGULAR MEETING OF THE
BOARD OF SUPERVISORS**

TUESDAY, AUGUST 7, 2007

**County Administration Center
Board Chambers
940 West Main Street, Suite 211
El Centro, CA. 92243**

EXECUTIVE OFFICER

Robertta Burns

COUNTY COUNSEL

Ralph Cordova, Jr.

CLERK OF THE BOARD

Sylvia Bermudez

1. Meeting was called to order by Board Chairman Larry Grogan; Supervisors for Districts 1, 2, 3, 4 and 5 were present. Invocation and Pledge of Allegiance was led by Father Ed Horning, Saint Mary's Catholic Church, El Centro, CA.
2. Discussed the Agenda.
 - a. No items pulled from Action Calendar
 - b. No items pulled from the Discussion Calendar.
 - c. No items pulled from the Consent Calendar.
 - d. Emergency Items added – Refer to Item #12a, 12b and Closed Session.
 - e. No Change to the order of the Agenda Items.
 - f. Approved the agenda as amended.
3. Approved the Consent Calendar.
4. Approved the Official Proceedings for July 24, 2007.
5. Board Member Reports/Announcements – Supervisor Victor Carrillo reported on various meetings including SanDAG Board of Directors meeting and his meeting with the Mayor of Tijuana, Mexico relating to the border delays at the ports of entry. Also, reported on the townsite of Heber . Supervisor Leimgruber reported on the Secretary of State and the changes in the voting procedures, also requested the Registrar of Voters provide an update and status report. Supervisor Joe Maruca requested a status report and update on the dissolution of the Literacy Volunteers of America. Supervisor Larry Grogan reported on his meeting with Senator Ducheny relating to renewable energy.

ACTION CALENDAR

PUBLIC WORKS

6. **Motion Failed** - Rejection of all bids received on June 29, 2007 for the Imperial Legion /Veteran's Hall Improvements by force account with an estimated cost of \$398,088 and approval of Resolution No. 2007-062.
Second Motion
 - 6.a. Rejected all bids received on June 29, 2007; Authorized and directed the Public Works Department to re-bid the project in phases and coordinate work; Authorized the Clerk of the Board to re-advertise for bidding the revised project.
7. Awarded contract to Artic Air for the Calexico Superior Court HVAC System, additional funds to come from COPS 99.

8. Approved the following actions relating to the curb, gutter and sidewalk improvements on Heber Avenue from Main Street (SR86) to 10th Street in the Community of Heber, Imperial County Project No. 4319:
 - a. Awarded contract to Masters Construction, in the amount of \$243,270 and authorized the Chairman to sign contract.
 - b. Authorized the Director of Public Works to order Change Orders for any unanticipated necessary work.

PLANNING & DEVELOPMENT SERVICES

9. Approved Resolution No. 2007-066, authorizing submittal of application grant of \$800,000 from the California Department of Housing and Community Development (HCD) HOME Investment Partnership Program (HOME), for a First Time Home Buyer program.

AIRPORT

10. Approved Resolution No. 2007-064, and letter to Skywest/United Express/United Airlines requesting an improved flight schedule.

BUDGET FY 2007-2008

11. Discussion/action regarding FY 2007-2008 Budget.
 - a. Accepted additional budget adjustments and augmentations into the record.
 - b. Proposal to balance the FY 2007-2008 Budget – Continued to 08-14-07.
 - c. Approved the following actions to amend the proposed budget for FY 2007-2008:

INFORMATION & TECHNICAL SERVICES

- i. Approved allocation of one (1) Computer Operations Specialist position.
- ii. Approved revised job description for Department System Support Technician I.

EMERGENCY ITEMS

PUBLIC WORKS

12. a. Rescinded awarding of contract to Artic Air for the Calexico Superior Court HVAC System, additional funds to be paid from COPS 99.
12. b. Approved awarding of contract to RK Air for the Calexico Superior Court HVAC System, additional funds to be paid from COPS 99.

ITEMS PULLED FOR DISCUSSION

13. No items pulled from Consent Calendar for discussion.

DISCUSSION CALENDAR

14. Reports/Correspondence/Announcements of Officers:
 - a. Legislation – Bob Ham, Intergovernmental Relations Director, reported on the status of the State budget.
 - b. County Executive Officer - None
 - c. County Counsel - None
 - d. Departments – Sam Couchman, Director, Workforce Development Board, reported on the passing of Don Vaughn, past Veterans Officer. Jurg Heuberger, Director, Planning & Development Services, informed the board he is on the agenda for the IID Board, to request contributions for the Sunbeam Lake Project. Dolores Provencio, County Clerk/Recorder/Registrar of Voters, reported on the action by Secretary of State. Robin Hodgkin, Director, Public Health, reported on the second case of West Nile in Imperial County. Andy Horne, Deputy CEO, reported on energy transmissions.
 - e. Agencies - None
15. EXECUTIVE OFFICE - Bob Ham, Director, Intergovernmental Relations, gave a status report and update on funding and timing of the Brawley Bypass.
16. ASSESSOR – Jose M. Rodriguez, County Assessor, gave status report and update of caseload back-log for the Assessor's Office.

PUBLIC COMMENTS

17. **PUBLIC COMMENTS** – No public comments received.

SCHEDULED HEARING(S)**11:00 A.M.****PUBLIC WORKS**

18. Upon conclusion of a public hearing to consider and receive comments regarding the Gateway of the Americas' Benefit Analysis Report Update and Fee Schedule. The Board approved Resolution No. 2007-065, establishing fee schedule for the Gateway of Americas.

PLANNING & DEVELOPMENT SERVICES

19. Upon conclusion of a public hearing to consider appeal of Planning Commission's decision relating to Val Rock's Water Well Conditional Use Permit #07-0003. The Board denied the appeal and upheld the Planning Commissions' decision of May 23, 2007 and instructed Planning & Development Services to sign Val-Rock's Conditional Use Permit #07-0003.
20. Upon conclusion of a public hearing, the Board approved Resolution No. 2007-066, for the Revised Program Income Reuse Plan generated by CDBG-Assisted Activities.

CLOSED SESSION

21. Motion 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(a)** Conference with Legal Counsel, Existing Litigation, Imperial Irrigation District vs. County of Imperial, Superior Court, Case No. ECU 03475. **Direction given to staff.**
 - c. **Government Code §54957.6** Public Authority-IHSS, Conference with Labor Negotiator, County Labor Negotiations, Director of Human Resources and Risk Management, Relating to IHSS Public Authority. **Direction given to staff.**
 - d. **Government Code §54957.6** Conference with Labor Negotiator, County Labor Negotiator, Director Human Resources and Risk Management, relating to the following bargaining units:

<ol style="list-style-type: none"> a. Public Safety Management b. Management Unit c. Professional Employee Group d. Supervisory Unit e. Professional Legal Bargaining Unit f. Probation & Corrections Peace Officers Association 	<ol style="list-style-type: none"> g. Confidential Clerical h. Sheriff's Association i. Public Safety Supervisors j. California School Employees Association k. Fire Fighters Association
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- Direction given to staff.**
- e. **Government Code §54956.9(b)(1)** Conference with Legal Counsel, Potential Litigation. **Direction given to staff.**
 - f. **Government Code §54956.8** Conference with Real Property Negotiator Property is located at 1750 Drew Road, El Centro, Ca. Parties with whom negotiating is Sunbeam Lake LLC. Instructions to Negotiator will concern price and terms of payment. **Direction given to staff.**
 - g. **Government Code §54956.8** Conference with Real Property Negotiator Property is described as APN#017-632-07, Salton City. Parties with whom negotiating is Salton City Community Services District. Instructions to Negotiator will concern price and terms of payment. **Direction given to staff.**

22. Announcement of Closed Session Actions.

CONSENT CALENDAR**AGRICULTURAL COMMISSIONER**

23. Approved a 90 day extension for the following employees working out of class:
- a. Employee No. 06267-7, working as Deputy Agricultural Commissioner/Deputy Sealer.
 - b. Employee No. 06171-9, working as Agricultural Biologist/Standard Specialist IV.
24. Approved and authorized the Chairman to sign California Department of Food and Agriculture Agreement #07-0118 for Enforcement of California Seed Law.

25. Approved and authorized the Chairman to sign California Department of Food and Agriculture Agreement #07-0319 for Boll Weevil Trapping Program.
26. Approved and authorized the Chairman to sign California Department of Food and Agriculture Agreement #07-0150 for Pierce's Disease Control Program, Fiscal Years 2007-08, 2008-09 & 2009-10.

FIRE PROTECTION

27. Approved action to correct amount of Rural Emergency Responders Initiative Grant, approved on May 22, 2007 by Minute Order #32 and authorized Chairman to sign Grant.

HUMAN RESOURCES & RISK MANAGEMENT

28. Read title, waived first reading and introduced an ordinance amending the compensation for the District Attorney.
29. Approved certification of Teamster Local 542 as Exclusive Representative for Clerical, Technical and Crafts/Labor/Trade Units.
30. Approved call for an election through the California State Mediation and Conciliation Service for the Deputy District Attorney Bargaining Unit.

PLANNING & DEVELOPMENT SERVICES

31. Approved acceptance of construction of carport at 801 Main Street, El Centro and issuance of Notice of Completion.
32. Approved and authorized the Chairman to sign contract with Applied Development Economics, Inc., (ADE) for consulting services to prepare a Strategic Plan for a Creative Arts Cluster in the Region of the Salton Sea.

PROBATION & CORRECTIONS

33. Approved and authorized the Chairman to sign Memorandum of Understanding between the Holtville Unified School District and the Probation Department.

PUBLIC HEALTH

34. Approved negotiation process to develop a new agreement for the Zone I Ambulance contract with the existing provider.
35. Approved and authorized the Chairman to sign agreement with Progressus Therapy to provide an Occupational Therapist for the CCS Medical Therapy Unit.
36. Approved and authorized the Chairman to sign the following documents relating to the 3-year grant funding from the California Department of Health Services Office of AIDS, Agreement #07-65051:
 - a. Agreement #07-65051, Certification CCC-307, MOU Number PREV 07-13/1, HIV 07-13/2, SP 07-13/3, EIP 07-13/4, CMP 07-13/5.
 - b. Authorized the Director of Public Health Department to sign MOU's with project partners to implement the programs. *Originals to be file with the Clerk of the Board of Supervisors*

PUBLIC WORKS

37. Approved final draft of the County of Imperial Traffic Study and Report Policy.
38. Approved and authorized the Chairman to sign contract extension with Richard Pata Engineering for engineering design services for the Gateway CSA and other County Water Utility needs in Imperial County.
39. Approved and authorized the Chairman to sign contract extension with GS Lyon Consultants Inc., for engineering design services for the Gateway CSA and other County Sewer Utility needs in Imperial County.
40. Approved and authorized the Chairman to sign agreement with Bryan A. Stirrat & Associates for regulatory compliance services in support of the Vertical Expansion of the Niland Solid Waste Site in Imperial County in the amount of \$26,326.
41. Approved acceptance of completion of work of new roofing project for Building 40 and authorized County Counsel to prepare Notice of Completion.

TREASURER/TAX COLLECTOR

42. Denied the excess proceeds claims 1-4 as set forth in letter dated July 23, 2007.
43. Approved the excess proceeds claims 1-42 as set forth in letter dated July 23, 2007.

OTHER ITEMS

44. Miscellaneous reports ordered filed (On file with the Clerk of the Board):
- a. Report of Imperial County Agricultural Commissioner/Director of Weights & Measures and Air Pollution Control Officer for May 2007.
 - b. Auditor-Controller – Monthly Cash Report at April 30, 2007.
 - c. Auditor-Controller – Monthly Cash Report at May 31, 2007.

SUPPLEMENTAL AGENDA ITEMS

45. Approved letter to President George W. Bush regarding support and signature on the Water Resources Development Act.
45. The Board of Supervisors meeting adjourned at 3:40 p.m. The next regular Board of Supervisors Meeting was scheduled for Tuesday, August 14, 2007 at 8:30 a.m. at the County Administration Center, 940 W. Main Street, Ste. 211, Board Chamber, El Centro, Ca.

SYLVIA BERMUDEZ
CLERK OF THE BOARD OF SUPERVISORS