



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, DECEMBER 4, 2007

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

Website:

www.imperialcounty.net

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 Pastor Dan Bruce of the Faith Assembly of God Church of Imperial, 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. No emergency items added.
 - e. No change to the order of the Agenda Items.
 - f. Approved the agenda.
3. Approved the Consent Calendar.
4. Approve of the Official Proceedings for Tuesday, November 27, 2007.
5. Board Member Reports/Announcements –Supervisor Gary Wyatt reported on his attendance to RCRC in Sacramento and his upcoming CSAC Officers Retreat. Supervisors Victor Carrillo, Wally Leimgruber, Joe Maruca and Larry Grogan had no reports.

ACTION CALENDAR

EXECUTIVE OFFICE

6. Approved request from District 38 AMA for additional funding of \$40,140 from OHV in lieu fees for Road Maintenance and approved Budget Amendment Resolution No. 07-08-036.

PUBLIC WORKS

7. Approved and authorized the Chairman to sign the Joint Powers Formation Agreement for Regional Solid Waste Diversion Reporting to coordinate regional source reduction.
8. Approved the following actions:
 - a. Awarded contract for Ross Road Phase 3 Bicycle Lane Improvements from Forrester Road to El Centro City Limits (Austin Road) in Imperial County; County Project No. 4071B in the approximate amount of \$675,675 to Granite Construction.
 - b. Authorized the Chairman to sign the contract with Granite Construction.
 - c. Approved Budget Amendment Resolution No. 07-08-037.

EXECUTIVE OFFICE

9. Approved Resolution No. 2007-101, for the 233 acre expansion of the Imperial Valley Enterprise Zone (IVEZ).

COUNTY CLERK/RECORDER/REGISTRAR OF VOTERS

10. Approved the following appointments to the subsequent districts:
 - a. Niland Sanitary District (one full-term seat)
 - b. Niland Fire District (two full-term seats)
 - c. Heber Public Utility District (one short-term seat) – Patsy Becerra (District 2)
 - d. Winterhaven Fire District (one full-term seat)

EMERGENCY ITEMS

11. No emergency items added to the agenda.

ITEMS PULLED FOR DISCUSSION

12. No items pulled from Consent Calendar for discussion.

❖ BOARD OF EQUALIZATION

- *Adjourned as the Board of Supervisors; convened as the Board of Equalization.*

13. Approved Withdrawal of Change of Assessment for Application No. 2005-003, APN #027-016-101-00, Sunbeam Lake RV Resort.

14. Approved 2-year Waiver for Change of Assessment for Application No. 2005-046, APN #052-062-64-01, Walgreen's Co. #6856.

- *Adjourned as the Board of Equalization; reconvened as the Board of Supervisors.*

DISCUSSION CALENDAR

***Items #16 thru #22 were discussed; Items requiring action will be placed on a future agenda.*

15. Reports/Correspondence/Announcements of Officers:
 - a. Legislation – Bob Ham, Intergovernmental Relations Director, reported on the legislative issues, the IVAG/Mexicali Economic Delay Study.
 - b. County Executive Officer – Robertta Burns, County Executive Officer, reported on the funding grant for the Sunbeam Lake and Red Hill Marina.
 - c. County Counsel- None
 - d. Departments - None
 - e. Agencies - None
16. PUBLIC WORKS - William S. Brunet, Director, Public Works, discussed the Country Club Sewer Maintenance District Informational Report.
17. BEHAVIORAL HEALTH SERVICES - Michael W. Horn, Director, Behavioral Health Services, discussed the Proposed Hospital Bed Purchase and Usage Agreement for FY 2007-2008 in the amount of \$416,340.00.
18. BEHAVIORAL HEALTH SERVICES - Michael W. Horn, Director, Behavioral Health Services, discussed the Multi-Year Mental Health Services Act Agreement #07-77313-000 in the amount of \$3,912,688.
19. PROBATION & CORRECTIONS – Pam Littrell, Division Manager, Probation & Corrections discussed an additional allocation of one Deputy Probation Officer III to Probation Fund #1028001.
20. PUBLIC HEALTH - Robin Hodgkin, Director, Public Health, discussed the 2007-2010 Tobacco Education Project Contract #07-13.
21. EXECUTIVE OFFICE – Robertta Burns, County Executive Officer, discussed the new classification and job description for an Administrative Secretary to the Board of Supervisors.
22. PROCUREMENT SERVICES – Ted Turner, Purchasing Agent, discussed the contract with Shred-It for a period of two years.

PRESENTATIONS/ PUBLIC COMMENT

23. Special Presentations:
- a. The Board of Supervisors and Sheriff Loera presented Letters of Commendation to Lt. J. DeMorst, Sergeant J. Soto, Senior Deputy J. Romero, Deputy J. Gonzalez, Deputy C. Gonzalez, Deputy J. Johnson, Deputy M. Contreras and Deputy C. Higginbotham.
24. **PUBLIC COMMENT** – Susie Carrillo, commented on behalf of the Imperial County Film Commission and thanked the board for the contribution to the Film Commission.

SCHEDULED HEARING(S) 11:00 A.M.

PLANNING & DEVELOPMENT SERVICES

25. Upon conclusion of the public hearing to consider an appeal of the Planning Commission's September 12, 2007 denial of Conditional Use Permit #07-0020, as submitted by Martha Meza Mendez for the placement of a second dwelling unit on Assessor's Parcel No. 044-040-059-000; the Board approved the following actions:
- a. Rescinded denial of the Planning Commission.
 - b. Approved Conditional Use Permit #07-0020.
26. Upon conclusion of the public hearing to consider an appeal of the Planning Commission's February 28, 2007 denial of Minor Subdivision PM #2399, as submitted by Dennis Carson, for the division of Assessor's Parcel No. 044-540-008-000 and 044-540-010-000; the Board approved the following actions:
- a. Denied the applicants appeal for PM #2399 and up held the Planning Commission's February 28, 2007 decision.

BEHAVIORAL HEALTH SERVICES

27. Upon conclusion of the public hearing to consider the amendment of the Codified Ordinances of the County of Imperial relating to Fees collected by the Behavioral Health Services Department for Drug and Alcohol related services; the Board approved the following:
- a. Approved Ordinance No. 1430, an Ordinance Amending the Codified Ordinances of the County of Imperial relating to the Fees Collected by the Behavioral Health Services Department for Alcohol and Drug related services.

BOARD OF EQUALIZATION HEARING 1:00 P.M.

28. Conduct a public hearing to consider the Application for Change of Assessment for Application No. 2004-06, APN #054-530-03-091-01 and Application No. 2005-030, APN #054-530-003-000, JCPenny Properties. The Board approved the Assessor had met the burden of proof and heard testimony from the Assessor's office and the applicant's representative. The Board took information under submission; No action taken.

CLOSED SESSION

29. Motion to convene to Closed Session
- a. **Government Code §54954.5** Personnel Matter, Public Employee Performance Evaluation of the position of County Executive Officer. **Direction given to staff.**
 - b. **Government Code §54957.6** Conference with Labor Negotiator, County Labor Negotiator, Director Human Resources and Risk Management, relating to the following bargaining units:

a. Public Safety Management	f. Probation & Corrections Peace Officers Association
b. Management Unit	g. Confidential Clerical
c. Professional Employee Group	h. Sheriff's Association
d. Supervisory Unit	i. Public Safety Supervisors
e. Professional Legal Bargaining Unit	j. Teamsters Local 542

- k. Fire Fighters Association
Direction given to staff.
- c. **Government Code §54956.9(b)(1)** Conference with Legal Counsel, Potential Litigation (2 items) **Direction given to staff.**
30. Announcement of Closed Session Actions.

CONSENT CALENDAR

CEO recommends approval of Consent Calendar Items

AIRPORT

31. Approved and authorized the Chairman to sign the Assignment, Modification and Assumption Agreement by Imperial Flying Service from Sun Western Flyers.

AUDITOR-CONTROLLER

32. Accepted Audit Report on the Citrus Pest Control District for the period of July 1, 2006 to June 30, 2007.
33. Accepted Audit Report on the Imperial County Human Resources and Risk Management Department for the period of July 1, 2005 to December 31, 2006.

BEHAVIORAL HEALTH SERVICES

34. Approved the purchase of office furniture from Furniture Resources for the WASS program in the amount of \$24,691.85 and for the TAY Program in the amount of \$12,499.55 and approved Budget Amendment Resolution No's 07-08-032 and 07-08-038.
35. Approved and authorized the Chairman to sign one Mental Health Specialized Service Agreement for FY 2007-08 with Staff Care Inc, Locum Tenens Psychiatric Coverage, in the amount not to exceed \$89,800.

BOARD OF SUPERVISORS

36. Ratified proclamation "Honoring Melissa Chaty, Miss California 2007".

ELECTIONS

37. Certified the November 6, 2007 Consolidated Districts Elections for the following Districts: Imperial Community College District Area 3 and 4, Calipatria Unified School District, Holtville Unified School District, Imperial Unified School District, San Pasqual Unified School District, Brawley Elementary School District, Salton Community Services District, City of Brawley, City of Calipatria, City of El Centro and local Measures "W" and "Y" and declared the persons having the highest number of votes.

EXECUTIVE OFFICE

38. Approved expenditures of Fish and Game Funds for Desert Wildlife Unlimited Projects in the amount of \$30,000 and approved Budget Amendment Resolution No. 07-08-033.
39. Approved and authorized the Chairman to sign contract with City of Imperial and Urban Futures Inc., for redevelopment services (subject to review and approval of County Counsel).

PLANNING & DEVELOPMENT SERVICES

40. Approved Budget Amendment Resolution No. 07-08-034, for implementation of the Poe Colonia Housing Grant.
41. Approved Budget Amendment Resolution No. 07-08-035, for implementation of the HCD Contract, CDBG#06-EDBG-2562, county matching funds.

PUBLIC HEALTH

42. Approved and authorized the Chairman to sign Consultant Services Agreement with Gayla Strong for the provision of Occupational Therapy Services.
43. Approved and authorized the Director of Public Health to sign License and Support Agreement with Decade Software Company LLC, Agreement #1273-2007.

TREASURER-TAX COLLECTOR

44. Approved and authorized the Chairman to sign one-year renewal contract with Steve Hourigan of Tax Sale Services to assist with various tax sale matters.
45. Approved and authorized the Chairman to sign one-year renewal contract with Bid4Assets to assist with auctioning of the County's tax defaulted property over the Internet.

ADJOURNMENT

46. The Board of Supervisors meeting adjourned at 2:55pm. The next regular Board of Supervisors Meeting was scheduled for 8:30 a.m. Tuesday, December 11, 2007 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**