



**Website:**

*www.imperialcounty.net*

**BOARD MEMBERS:**

DISTRICT 1 – Victor Carrillo

DISTRICT 2 – Jesus “Jack” Terrazas

DISTRICT 3 – Michael W. Kelley

DISTRICT 4 – Gary Wyatt

**CHAIRMAN**

DISTRICT 5 – Wally Leimgruber

**EXECUTIVE OFFICER**  
Ralph Cordova Jr.

**COUNTY COUNSEL**  
Michael L. Rood

**CLERK OF THE BOARD**  
Sylvia Bermudez

**OFFICIAL PROCEEDINGS**

**REGULAR MEETING OF THE  
BOARD OF SUPERVISORS**

**TUESDAY, JULY 21, 2009**

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

1. Meeting was called to order by Board Chairman Wally Leimgruber; Supervisors for Districts 2, 3, 4 and 5 were present. District 1, Supervisor arrived later in the meeting. Invocation and Pledge of Allegiance was led by Pete Mallinger of the Calvary Chapel of El Centro.
2. Discussed the Agenda.
  - a. No items pulled from the Action Calendar.
  - b. No items pulled from the Discussion Calendar.
  - c. No items pulled from the Consent Calendar.
  - d. Emergency Items to be added – Refer to item # 8.
  - e. No change to the order of the Agenda.
  - f. Approved the agenda as amended.
3. Approved the Consent Calendar.
4. Approved the Official Proceedings for July 14, 2009.
5. Board Member Reports/Announcements – Supervisor Gary Wyatt reported on CSAC’s ongoing efforts with the Governor’s office relating to the adoption of the budget; also commented on the press release issued in regards to the summit on reforming California and various meetings. Supervisor Michael Kelley reported he had meetings with various constituents. Supervisor Jack Terrazas reported on the CSAC Rebuilding California Summit. Chairman Wally Leimgruber reported on meetings with various companies and individuals relating to renewable energy and proposed ethanol plants.

**ACTION CALENDAR**

**EXECUTIVE OFFICE**

6. Approved Letter of Endorsement for the ARRA Transportation Investment Generating Economic Recovery (TIGER) Application – Calexico East Passenger Port of Entry (POE) Expansion.
7. Approved ratification of submission of State Route 98 West Widening Project to the Office of Senator Diane Feinstein.

**EMERGENCY ITEMS**

**EXECUTIVE OFFICE**

8. Approved letter in support of “New River” funding in state budget (item 0540-001-6051) of section 2.00 of the Budget Act of 2009.

**ITEMS PULLED FOR DISCUSSION**

9. No items pulled from Consent Calendar for discussion.

## DISCUSSION CALENDAR

10. Reports/Correspondence/Announcements of Officers:
- a. Legislation – Bob Ham, Intergovernmental Relations Director, reported on ongoing state budget discussions and pending legislation.
  - b. County Executive Officer – Ralph Cordova, Jr., reported on the ongoing status of the state budget.
  - c. County Counsel – Michael Rood, County Counsel, reported his office would be experiencing a shortage in attorneys and departments should expect delays in legal reviews.
  - d. Departments – Air Pollution – Brad Poiriez, APCO, informed the board of the state officials visiting Imperial County on August 3<sup>rd</sup>.
  - e. Agencies - None

## SCHEDULED HEARING(S)

**9:45 A.M.**

### PLANNING & DEVELOPMENT SERVICES

11. Upon conclusion of a public hearing to consider submittal of Planning and Technical Assistance grant applications, Redevelopment Feasibility Study (Phase II) in the amount of \$35,000 and Engineering Report for Alternative Discharge for the Niland Wastewater Treatment Plant in the amount of \$35,000 to the California Housing and Community Department (HCD) under the Community Development Block Grant (CDBG); the Board approved the following actions:
- a. Approved Resolution No. 2009-050, A Resolution authorizing submittal of Planning and Technical Assistance grant applications, Redevelopment Feasibility Study (Phase II) in the amount of \$35,000 and Engineering Report for Alternative Discharge for the Niland Wastewater Treatment Plant in the amount of \$35,000 to the California Housing and Community Department (HCD).

## PRESENTATIONS/ PUBLIC COMMENT

12. **PUBLIC COMMENT** – John Daley, commented on the VOA program and expressed his support for the program. Gerald McFadden commented on issues relating to the VOA Alcohol & Drug program and the lease with the County of Imperial.

## CLOSED SESSION

13. Motioned to convene to Closed Session
- a. **Government Code §54956.8** Conference with Real Property Negotiator. Property is located at 312 N. Loop Rd., El Centro, CA. Parties with whom negotiating are VOA. Instruction to Negotiator will concern price and terms of payment. *Direction given to staff.*
  - b. **Government Code §54956.9(a)** Conference with Legal Counsel, Existing Litigation "Sunbeam LLC" vs. County of Imperial, Superior Court, Superior Court Case No. ECU 04662. *Direction given to staff.*
  - c. **Government Code §54956.9(a)** Conference with Legal Counsel, Existing Litigation, In re: Lisa P., Case No. D054216. *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:
 

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

*Direction given to staff.*
  - e. **Government Code §54956.9(b)(1)** Conference with Legal Counsel, Potential Litigation. *Direction given to staff.*

14. Announcement of Closed Session Actions.

**CONSENT CALENDAR****AGRICULTURAL COMMISSIONER**

15. Approved out county travel for one staff member to attend the International Workshop on Citrus Quarantine Pests, in Villahermosa, Tabasco, Mexico, July 27-31, 2009.

**AUDITOR-CONTROLLER**

16. Approved and authorized the Chairman to sign Accountancy Agreement with Hutchinson and Bloodgood LLP to perform examination of the fiscal reports and financial records of the Association for Retarded Citizens-Imperial Valley in an amount not to exceed \$41,250.

**BOARD OF EQUALIZATION**

17. Approved Withdrawal of Application for Changed Assessment for Luis Felipe Garcia, Application No. 2008-063, APN# 058-333-012.

**EXECUTIVE OFFICE**

18. Approved Resolution No. 2009-051, Resolution Levying Special Taxes within County of Imperial Community Facilities District No. 06-1 (McCabe Ranch).

19. Approved Resolution No. 2009-052, Resolution Levying Special Taxes within County of Imperial Community Facilities District No. 98-1 (Los Alamos International Center).

**GATEWAY OF THE AMERICAS CSA BOARD**

20. Approved and authorized the Chairman to sign extension to agreement with G.S. Lyon Consultants, Inc. for engineering design services for the Gateway CSA and other county sewer utility needs in a amount not to exceed \$25,000 and approved Budget Amendment Resolution No. 08-09-146.

**HUMAN RESOURCES & RISK MANAGEMENT**

21. Approved and authorized the Chairman to sign CSAC Amendment to General Liability I (GLI) Program MOU.

**PUBLIC HEALTH**

22. Approved and authorized the Chairman to sign amendment to agreement with City of Brawley for animal shelter services until July 31, 2009.

23. Approved and authorized the Chairman to sign Consultant Services Agreement with Holly Maag, Esq., to serve as the Laboratory Director for the Imperial County in an amount not to exceed \$60,400 per year.

**PROBATION & CORRECTIONS**

24. Approved the following actions:

- a. Approved replacement of flooring of Juvenile Hall kitchen and Control I, including removal of asbestos tile as necessary, at a cost not to exceed \$18,595.53
- b. Approved replacement of modesty panels in the shower area of Juvenile Hall at a cost not to exceed \$25,779.47.
- c. Approved Budget Amendment Resolution No. 08-09-145 to cover cost of replacement of flooring and modesty panels. (Criminal Justice Fund – No impact to General Fund)

**PUBLIC WORKS**

25. Approved and authorized the Chairman to sign extension to agreement with Richard Pata Engineering, for engineering design services for the Gateway CSA and other county sewer utility needs in a amount not to exceed \$25,00 and approved Budget Amendment Resolution No. 08-09-147.

26. Approved the following actions:

- a. Accepted the landscaping improvements in the area adjacent to the intersection of Correll Road and Dogwood Road as completed per submitted plans for McCabe Ranch Tract 952 Subdivision, Unit 1.
- b. Authorized the Chairman to accept on behalf of the County, the landscaping improvements along the west side of Dogwood Road adjacent to Tract 952.

**TREASURER/TAX COLLECTOR**

27. Approved line of Credit in the amount \$65,000 to the Niland Fire District.
28. Adopted Resolution No. 2009-053, Resolution providing for the borrowing of funds for Imperial Community College District for Fiscal Year 2009-2010 and the Issuance of Imperial Community College District 2009-2010 Tax and Revenue Anticipation Notes therefore in an amount not to exceed \$6,200,000 and direct staff to take appropriate action.

**OTHER ITEMS**

29. Miscellaneous reports ordered filed (On file with the Clerk of the Board):
- a. *Auditor-Controller* – Monthly Cash Report, May 31, 2009.
  - b. *Planning & Development* – Abandoned Vehicle Abatement Program Report, June 2009.
  - c. *Executive Office* – Report for CFD 02-1 (Menvielle/Rice).
  - d. *Sheriff-Coroner* – 2008-2009 Annual Report of Inmate Welfare Trust Funds.
30. The regular meeting of the Board of Supervisors adjourned at 11:35 a.m. The next meeting was scheduled for 8:30 a.m. on Tuesday, August 11, 2009 at the County Administration Center, Board Chambers, 940 West Main Street, El Centro, CA. 92243.

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