

VALENCIA COUNTY BOARD OF COMMISSIONERS

Special Meeting

July 22, 2009

PRESENT	ABSENT
Pedro G Rael, Chairman	
Donald E. Holliday, Vice-Chairman (via telephone)	
David R Medina, Member	
Ron Gentry, Member	
Georgia Otero-Kirkham, Member	
Eric Zamora, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 5:00 P.M.

2. Chairman Rael led the Pledge of Allegiance

3. Approval of Agenda

Commissioner Medina moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

4. Public Requests – At the discretion of the Chair. (For Information Only – limited to two minutes per person on subjects not on this published agenda)

Bob Gostischa a member of the Senior Advisory Board requested the senior hot meals provided continue and gave his appreciation to Senior Director Jose Campos.

George Moscona invited and encouraged the Commission and the public to attend Health Care forum discussion, Saturday, July 25, 2009 at La Merced Elementary (Rio Communities).

Clark Metcalf discussed the importance of having a hospital in Valencia County.

Chairman Rael contacted Commissioner Holliday to be present by via telephone.

County Clerk Sally Perea administered the oath for those wishing to give testimony.

5. Public Hearing Item

- a) **Ordinance 2009-02, Adopting a County Correctional Facility Gross Receipts Tax".** An excise tax equal to one-sixteenth of one percent (.625%) or one-eighth on one percent (.125%) of the gross receipts reported. In pursuant to the County Correctional Facility Gross Receipts Tax Act as it now exists or as it may be amended and shall be known as the "County Correctional facility Gross receipts tax will be used for the purpose of operating, maintaining, constructing, purchasing, furnishing, equipping, rehabilitating, expanding or improving a Judicial-Correctional or County Correctional Facility, including acquiring and improving parking lots, landscaping or any combination of foregoing; Transporting or extraditing prisoners, to payment of principal and interest on revenue bonds or refunding bonds issued pursuant to the provisions of the County Correctional Facility Gross Receipts Tax Act – County Commission

Janet Quigley, Bob Gostischa, William Dean, Clark Metcalf, Alice Torwirt, Leroy Cordova, Attorney Greg Gaudette, Lee Cordova residents of Valencia County, employees of Correctional facility, representatives of inmates requested that the Commission vote in favor of the tax to improve safety, overcrowding but to put forward for public vote.

Board discussed the importance of presenting the purposed tax to the public and having the public decide whether to proceed with a special election and the safety issues for employees and inmates.

Correctional Detention Center Derek Williams gave a brief overview of the Detentions needs and intentions for expansion and opened it up for any questions.

The Board reviewed at length past discussions that lead to continue the County Correctional Facility Gross Receipts Tax and the requirements of registered voters to petition for a public vote.

6. Action Item(s)

Minutes of July 22, 2009 Special Meeting

a) Consideration of Approval Ordinance 2009-02, "County Correctional Facility Gross Receipts Tax"- County Commission

Commissioner Gentry amended to take public vote, 1/8 cent tax for the Correctional facility without a sunset clause. Seconded Commissioner Medina. Roll call vote. Commissioner Medina voted yes. Chairman Rael voted no. Commissioner Gentry voted yes. Commissioner Kirkham voted no. Commissioner Holliday voted no. Motion fails 3-2.

Chairman Rael made a motion to enact the Ordinance with 1/8 cent tax, without a sunset clause but takes effect unless the public presents the number of signatures and placed to the voter on a public ballot. Seconded by Commissioner Kirkham. Roll call vote. Commissioner Medina voted no. Chairman Rael voted yes. Commissioner Gentry voted no. Commissioner Kirkham voted yes. Commissioner Holliday voted yes. Motion carried 3-2. **(See Exhibit A)**

County Clerk Sally Perea announced Ordinance 2009-02.

b) Consideration of Approval Resolution 2009-31, Relating to Finance; Adopting the Final 2009/2010 Fiscal Year Budget; and Requesting State Approval – Wilma Abril

Commissioner Gentry moved for approval. Seconded by Commissioner Medina. Motion carried unanimously. **(See Exhibit B)**

County Clerk Sally Perea announced Resolution 2009-31.

c) Consideration of Approval Resolution 2009-32, Year End 6/30/09 Inter/Intra Transfers – Wilma Abril

Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit C)**

County Clerk Sally Perea announced Resolution 2009-32.

d) Consideration of Approval Resolution 2009-33, Increase Expenditures – Wilma Abril

Commissioner Medina moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. **(See Exhibit D)**

County Clerk Sally Perea announced Resolution 2009-33.

7. Adjournment

Commissioner Gentry moved to adjourn. Seconded by Chairman Rael. Motion carried unanimously. Time 7:11:54 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, July 22, 2009 Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

Via Telephone

PEDRO G RAEI, CHAIRMAN

DONALD E. HOLLIDAY, VICE-CHAIRMAN

GEORGIA OTERO-KIRKHAM, MEMBER

RON GENTRY, MEMBER

DAVID MEDINA, MEMBER

ATTEST:

SALLY PEREA, COUNTY CLERK

8-5-09
DATE

