

MINUTES OF THE LAFCO MEETING
April 25, 2013

The County of Imperial Local Agency Formation Commission (LAFCO) convened a regular meeting on Thursday, April 25, 2013, at 8:30 a.m. in the IID Board Chambers, 1285 Broadway, El Centro, California.

Commissioners present: Castillo, Kelley, Snively, and Ours.

Staff present: Executive Officer Heuberger, Clerk Bruce, Accountant Carter, and Legal Representative Childers.

Alternate Commissioners Terrazas and West were also present amongst the audience.

3. Approval of Minutes from February 28, 2013.

Motion made by Commissioner Snively and passed by the unanimous vote of all commissioners present to approve the minutes.

4. Approval of Consent Items: *None.*

5. Public Comments: *None.*

ANNOUNCEMENTS

6. A. Announcements by the Commissioners:

Commissioner Kelley commented on how much he has learned through his position on the CALAFCO Board of Directors and how important LAFCO is to the community. He continued saying that LAFCO is not an incidental subsidiary to local government, as it sets the tone as to what is going to happen to communities.

B. Announcements by the Executive Officer:

Mr. Heuberger asked the Commissioners to notify staff as soon as possible if they will be attending the CALAFCO Annual Conference, if they have not already done so.

Mr. Heuberger requested to continue item #9 to a later date.

Mr. Heuberger displayed the updated Imperial LAFCO webpage. The website is not yet live, but will be within a few weeks. Under the statutory requirements of LAFCO, we are required to have a webpage.

C. Presentation to former Commissioner Colleen Ludwig.

The LAFCO Commissioners presented former Commissioner Colleen Ludwig with a plaque in gratitude for her 13 years of service to the Commission.

PUBLIC HEARING ITEM(S)

11. [8:40 am] Public Hearing to consider the approval of EC 1-12, Sol Orchard Solar Energy Facility Annexation.

Mr. Heuberger identified several documents that were received late by LAFCO: the County Minute Order date 04/02/13; City of El Centro Resolution #13-17; and the Tax Sharing Agreement between the City of El Centro and the County of Imperial. Mr. Heuberger reviewed the Executive Officer's Report aloud.

No public comments were heard regarding the project.

Mr. Will Pritchard, Vice-President of Sol Orchard, LLC. provided a quick overview of the project and expressed their anxiousness to complete this last step towards being allowed to attain the building permits to begin building the solar facility.

Commissioner Kelley asked if there were currently any solar panels on site. Mr. Pritchard replied that there are not.

Ms. Norma Villicaña, Planning Director for the City of El Centro, expressed the City's full support for this project.

Motion made by Commissioner Kelley and passed by the unanimous vote of all commissioners present to approve conditions A-N set by the Executive Officer, and therefore approving the Sol Orchard Solar Energy Facility Annexation, EC 1-12.

ACTION/DIRECTION ITEM(S)

7. Update of the LAFCO Policy & Procedure Manual.

Mr. Heuberger reviewed several changes made to the updated LAFCO manual, including: the contingency change from \$50k to \$100k; the broader resident noticing area for public notices; and the LAFCO maps are in the process of being updated.

Alternate Commissioner Jack Terrazas, who sat amongst the audience during this meeting, questioned if there were term limits for the LAFCO Commissioners. Mr. Heuberger replied that there are not. As long as the commissioner holds office in their respective agency, they may stay on the commission.

Mr. Terrazas also requested that the commission packages be directly emailed to him.

Commissioner Snively responded to Mr. Terrazas' inquiry saying that in the circumstance of the public member, he/she serves at the discretion of the Commission, as he/she is appointed by the other commissioners.

Motion made by Commissioner Snively and passed by the unanimous vote of all commissioners present to approve the updated LAFCO Policy Manual.

8. Discussion/Direction on travel policy and affidavit.

In the event of an audit, Imperial LAFCO has created a travel affidavit that will be signed by any commissioner who travels for the purposes of both, having a paper trail and clarifying procedures between staff and the commission.

Motion made by Commissioner Kelley and passed by the unanimous vote of all commissioners present to approve the adoption of the Travel Policy & Affidavit.

9. Discussion/Direction on shared services by public agencies in Imperial County and LAFCO's role.

Item has been continued to the following meeting. No action was taken on this item.

10. Discussion/Direction regarding the LAFCO 2013/2014 draft budget for the upcoming fiscal year.

Mr. Heuberger presented the Commission with the draft budget for the upcoming fiscal year. The LAFCO draft budget must be adopted prior to May 1st and the final budget must be adopted prior to June 15th.

Per the direction of the Commission, last year LAFCO utilized contingency funds to offset the total amount due from the County and the Cities. However, it was made clear that we would only be able to do this once due to the depletion of the contingency fund and the requirement to maintain a contingency balance of at least \$100k. Therefore, this upcoming fiscal year, the amount due from the County and the Cities would resume to what was due two years prior.

With regards to the account labeled "CVB-Trust" with a balance of \$308,560.40 – those funds are not to be considered expendable by LAFCO. Those funds are deposits from applications that are on hold by LAFCO.

Commissioner Castillo said that he spoke with several of the City managers and mentioned that they had great concerns over the increasing of the budget. The cities pay different percentages according to their individual city revenues. The cities have the option of either paying in this manner, or working together to come up with a more equitable amount. However, most of the cities have expressed no interest in the second option.

To be clear, there was a very minimal increase to the upcoming budget (\$18k). The payments required from the County and the Cities have increased due to the fact that LAFCO cannot afford to use out own savings offset their costs by \$130k again this year.

Motion made by Commissioner Snively and passed by the unanimous vote of all commissioners present to approve the adoption of the 2013/2014 draft budget.

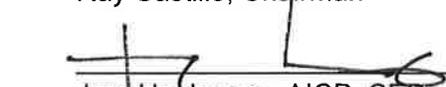
EXECUTIVE SESSION

No Public Hearing Items.

12. Adjournment

The meeting adjourned at 9:39 a.m.

Ray Castillo, Chairman


Jurg Heuberger, AICP, CEP
Executive Officer to LAFCO