

## MINUTES OF THE LAFCO MEETING

November 15, 2012

The County of Imperial Local Agency Formation Commission (LAFCO) convened a regular meeting on Thursday, November 15, 2012, at 8:30 a.m. in the IID Board Chambers, 1285 Broadway, El Centro, California.

Commissioners present: Snively, Ludwig, Campbell and Castillo.

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

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3. Election of Vice-Chairman (Postponed from the March 22<sup>nd</sup> hearing)

Motion made by Commissioner Ludwig and passed by the unanimous vote of all commissioners present to elect Commissioner Castillo as the Vice-Chairman of the LAFCO.

4. Approval of Minutes from May 24, 2012.

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

5. A. Update of the Project Status Report

As most projects have not seen any progress within the last year or more, Mr. Heuberger informed the Commission that our office will again be sending out request for project status letters to all applicants. The letters will request that projects be closed if no progress is to be made within the next six months.

Mr. Heuberger also informed the Commission that the Miller-Burson Project, EC 8-04, has been withdrawn by the applicant with the possibility of re-applying in the future.

B. Update on the office fire and restoration

Mr. Heuberger said that he would be discussing this in further detail under item #10.

C. Information on the Orange County Litigation result ("Citizens Association of Sunset Beach v. Orange LAFCO")

Mr. Childers provided an overview to the Commission regarding the above mentioned court case faced by Orange County LAFCO.

Motion made by Commissioner Campbell and approved by the unanimous vote of all commissioners present to approve items 5-A and 5-C.

6. Public Comments: *None.*

## ANNOUNCEMENTS

7. A. Announcements by the Commissioners:

Commissioner Castillo and Commissioner Snively both commented on how pleased they were with the CALAFCO Annual Conference and the amount of information that was available in the workshops. Commissioner Snively commented on the positive growth LAFCOs have had over the last 20 years.

Commissioner Snively announced that Commissioner Ludwig would no longer be on the LAFCO as of January 2013. He expressed his sincere thanks and gratitude to her on behalf of the Commission.

B. Announcements by the Executive Officer:

Mr. Heuberger announced that next year's CALAFCO Annual Conference is to be held in Lake Tahoe on September 4-6, 2013.

On August 13<sup>th</sup>, the CCL discussed a need for a CALAFCO Board member replacement for the seat held by Orange LAFCO. During that meeting, Mr. Heuberger recommended Commissioner Kelley, to which he accepted. Commissioner Kelley now sits on the CALAFCO Board of Directors.

Mr. Heuberger provided a brief history of the Coalition of California LAFCOs (CCL). The CCL is comprised of the southern section of California counties to include: San Bernardino, Riverside, Orange, Los Angeles, San Diego, and Imperial. The CCL was created by the southern counties to ensure their representation at the state level. It has been mentioned by members of the CCL to eliminate the "CCL" title as a way of "mending old wounds." If this is done, the group will continue to meet quarterly.

Mr. Heuberger also informed the Commission that our office is currently in the process of updating/redesigning our webpage.

No action was taken on this item.

## PUBLIC HEARING ITEM(S)

13. Public hearing to consider the approval of the updated Heber Public Utility District Service Area Plan (SAP/MSRP).

Commissioner Snively asked about the status of the street lighting situation in Heber. Mr. John Jordan, General Manager of HPUD, confirmed that a settlement agreement between the Heber Public Utility District and the County has been reached. HPUD will continue to provide street lighting to the residents of Heber.

Commissioner Castillo commented that the townsite of Heber has grown dramatically and that there is a great deal of potential for development in the future.

Commissioner Ludwig asked if HPUD would be providing water and sewer to the Imperial Center development east of Highway 111. Ms. Justina Arce of The Holt Group confirmed that they would. Mr. Heuberger continued in saying that there were some issues in regards to storage capacity and

flow rates in which the site developers will have to provide extra capacity. Mr. Jordan replied that an on-site water tank for fire flow has been built on site. Daily flow requirements will be covered.

Commissioner Campbell asked about the status of the grant that was given for the development of curbs and gutters for Heber. Mr. Jordan said that the grant was given to the County and the project should be coming into fruition over the next year.

Motion made by Commissioner Ludwig and passed by the unanimous vote of all commissioners present to approve Heber Public Utility District Service Area Plan update.

14. Public hearing to consider the approval of the updated City of Brawley Service Area Plan (SAP/MSRP).

Before the state law made SAPs/MSRs mandatory, Imperial LAFCO already had made them mandatory for the Cities and Special Districts of the County. SAPs/MSRs are extremely useful to developers being that it shows them what services are already available to them.

Mr. Gordon Gaste, Planning Director for the City of Brawley, commented that most of the information contained within the update is consistent with the previous SAP, with the exception of a few minor changes.

Commissioner Snively asked about the proposed wastewater treatment plant between the City of Brawley and the City of Imperial.

Mr. Gaste answered that that particular project is just speculative at the moment. The costs of the creation of a new plant would have to be burdened on the developer who wants them for that area.

Mr. Heuberger added that the original concept of the development area between the City of Brawley and the City of Imperial was the creation of a special district for the Mesquite Lake area, known as the Mesquite Lake Specific Plan. The County became the lead agency on the Technical Study for the possible creation of a special district, but no updates have been heard on the status of the study. Two major development projects are conditioned by the County to have the special district established in order to provide the services to the projects.

Motion made by Commissioner Castillo and passed by the unanimous vote of all commissioners present to approve City of Brawley Service Area Plan update.

#### ACTION/DIRECTION ITEM(s)

8. Discussion/Direction regarding the appointment of an alternate CCL Board Member to represent the Imperial LAFCO. (Executive Officer recommends Commissioner Kelley)

LAFCO requires an official appointee to the Southern section of the CCL. It is preferred that the appointee be the same person that is on the CALAFCO Board of Directors.

Motion made by Commissioner Ludwig and passed by the unanimous vote of all commissioners present to appoint Commissioner Kelley as the alternate CCL Board Member.

9. Discussion/Direction regarding the renovation of Suite B at 1122 State Street.

Suite B is the only suite in the 1122 State Street building that has not yet been renovated. Being that there may be a potential exchange/move of suites between tenants, it would be a good time to

renovate the suite. Renovations include but are not limited to the removal of partitions, walls fixed, and carpet replacement.

Motion made by Commissioner Campbell and passed by the unanimous vote of all commissioners present to move forward with the renovation of Suite B, as and when determined appropriate by the Executive Officer.

10. Approval of budget adjustments to address costs incurred as a result of the fire damage, infrastructure change, and installation of a smoke and security alarm system.

On the evening of August 25, 2012, the LAFCO office had a small fire in our server room believed to be caused by the small AC unit within the room. As a result of the fire, LAFCO lost and replaced all of the servers and server equipment. During the reconstruction, LAFCO relocated the fiber optics line. The insurance company covered all costs, with the exception of \$3,000 and costs incurred from the fiber relocation.

Motion made by Commissioner Campbell and passed by the unanimous vote of all commissioners present to approve the budget adjustments as follows:

- A. \$220,000 for fire damage repairs and replacement with offsetting \$217,000 proceeds from insurance
- B. \$6,000 for the fiber optic infrastructure change
- C. \$11,000 for a smoke and security alarm system

11. Discussion/Direction on LAFCO's role in assisting local agencies to address shared services.

Sharing services is a hot topic amongst CALAFCO and the CCL. They are looking into services that could be shared in order to save funds. This will be very useful to the Special Districts of Imperial County.

Mr. Heuberger will examine shared service agreement possibilities at the local level and discuss it with the City Managers group.

No action was taken on this item.

12. Discussion on the appointment of an alternate Public Member.

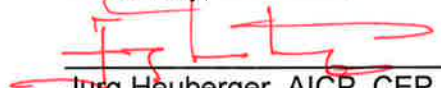
For some time, LAFCO has been seeking an alternate Public Member for the Commission. We received a letter of interest from Mr. David West. Notices will be sent to the proper agencies regarding the appointment.

Motion made by Commissioner Castillo and passed by the unanimous vote of all commissioners present to pursue with the appointment of the alternate Public Member.

15. Adjournment

The meeting adjourned at 9:33 a.m.

Ed Snively, Chairman

  
Jurg Heuberger, AICP, CEP  
Executive Officer to LAFCO