

MINUTES OF THE LAFCO MEETING

November 17, 2011

The County of Imperial Local Agency Formation Commission (LAFCO) convened a regular meeting on Thursday, November 17, 2011, at 8:30 a.m. in the IID Board Chambers, 1285 Broadway, El Centro, California.

Commissioners present: Snively, Ludwig, and Terrazas.

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

3. Approval of Minutes of September 22, 2011.

Motion made by Commissioner Terrazas 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. Update by CALAFCO Board representative, Commissioner Edney: *None*.

B. Announcements by Commissioners: *None*.

C. Announcements by the Executive Officer:

Mr. Heuberger explained that prior to the meeting, he had passed out the Audited Financials for LAFCO. He said that with these audited financials, LAFCO is now completely up to date with all financials. They will be posted to the webpage within a few days. He thanked Accountant Carter for working hard to get us up to date.

Mr. Heuberger informed the Commission that the next California Coalition of LAFCO's (CCL) meeting would be held in Santa Ana in January 2012. The following meeting will be held in Imperial County in April 2012.

Mr. Heuberger also informed the Commission that Commissioner Edney was not reelected to El Centro City Council, so he could no longer fill the City Representation seat in LAFCO. With this, a city member needs to be elected to represent Southern California in the CCL.

Mr. Terrazas asked how this spot will be filled.

Mr. Heuberger replied that he would clarify that in the following item.

ACTION/DIRECTION ITEM(s)

7. Discussion/Direction regarding the appointment of two Alternate Commissioners to represent the Cities and the Public.

Mr. Heuberger announced that prior to Edney's election loss, LAFCO required the appointment of an Alternate Public member and an Alternate City member. The election also showed that Mr. Trevor Green was not reelected to the Calipatria City Council, so he could no longer be an Alternate City Member.

Mr. Heuberger said that a letter has been mailed out to the City Select Committee requesting that they appoint two positions: one permanent and one alternate. Mr. Heuberger said that the Public member position could be filled by anyone from the public who is not an elected official and has not been in office within a year. He said that the Commission did not have to decide today how they would like to go about filling the position, but it should be discussed in the following meeting.

Commissioner Ludwig said that she would like to see the full LAFCO in attendance to continue discussing this item.

The Commission agreed and no action was taken on this item. Item will be continued to the following meeting.

PUBLIC HEARING ITEM(s)

8. Public hearing to consider the approval of IM 2-07, IID Administration District.

Mr. Heuberger informed the Commission that LAFCO received the amended resolution from the City of Imperial reflecting an EIR for the project, not an MND.

Mr. Heuberger read through the Executive Officer's Report to provide an overview of the project and read the recommendations of the Executive Officer.

Commissioner Snively invited the City of Imperial or the Imperial Irrigation District to speak on behalf of the project.

Ms. Marlene Best, Imperial City Manager, thanked the Commission and explained that the City and the County did come to an agreement for the Tax Agreement. It has been approved by the County and the City, but that they were just waiting for signatures from County Counsel. An executed Tax Agreement will be provided to LAFCO as soon as it is available.

Commissioner Snively requested any members of the public to speak either for or against the project. None were heard.

Motion made by Commissioner Ludwig and passed by the unanimous vote of all commissioners present to approve all conditions for IM 2-07, IID Administration District.

9. Public hearing to consider the approval of WM 1-11, Westmorland Gateway Plaza.

Mr. Heuberger informed the Commission that this project was previously approved by the Commission some years ago, but was never recorded, so the project expired. The applicants have re-applied with no changes made to the originally submitted application.

Mr. Heuberger read through the Executive Officer's Report to provide an overview of the project and read the recommendations of the Executive Officer.

Commissioner Snively requested that any proponents for the project please come forward.

Mr. Eric Lavon, Vice-President of Little Sami, LLC. said that they were pleased to come to the community. He said that he would be happy to answer any questions the Commission had.

Commissioner Snively requested that any opponents of the project please come forward. None were heard.

Commissioner Snively requested that anyone else who wished to address the Commission regarding the project please come forward.

Mr. Joel Hamby represented the City of Westmorland and said that the City was very supportive of the project and pleased that a Tax Agreement had been finalized.

Commissioner Ludwig asked about the mixed land use that was being applied for.

Mr. Hamby replied that there has been little progress on the redevelopment portion of the project.

Ms. Maricela Villa, resident of Westmorland complained that she received her public notice too late. The notice was stamped as being sent out on November 28th, however she did not receive it until November 4th. She said that the public needs more notification time to better accommodate the LAFCO meeting into their schedules.

Commissioner Snively asked if she was a proponent or an opponent of the project.

Ms. Villa replied that she supports the project.

Mr. Heuberger apologized for the late letter and informed the Commission that he never received a message from Ms. Villa and that Clerk Bruce referred her to the LAFCO webpage when she called requesting more project information.

Motion made by Commissioner Terrazas and passed by the unanimous vote of all commissioners present to approve all conditions for WM 1-11, Westmorland Gateway Plaza.

EXECUTIVE SESSION(s)

10. Discussion/Direction related to the legal issues concerning Imperial County and the Heber Public Utility District.

Commissioner Snively announced that due to the lack of legal representation by LAFCO and the lack of Commissioners that the Executive Session Item has been cancelled. No action was taken on this item.

11. Adjournment

The meeting adjourned at 9:00 a.m.

Mike Kelley, Chairman

Jurg Heuberger, CEP, AICP
Executive Officer to LAFCO