

MINUTES OF THE SPECIAL LAFCO MEETING

July 29, 2010

The County of Imperial Local Agency Formation Commission (LAFCO) convened a regular meeting on Thursday, July 29, 2010, at 8:00 a.m. in the Board of Supervisors Chambers, 940 Main Street, Suite 211, El Centro, California.

Commissioners present: Leimgruber, Kelley, Ludwig, Snively, Edney.

Staff present: Executive Officer Heuberger, Legal Counsel Turner & Holbrook, Clerk Buenrostro.

1. Roll Call.
2. Pledge of Allegiance was led by Commissioner Edney.
3. **(Continued)** Public hearing on the proposed annexation IM 1-09 Imperial Unified School District submitted by Donald E. & Kathleen M. Euhus:

Jurg Heuberger, Executive Officer commented that this continued item is its last day to hear project and requesting to approve or deny project.

Executive Officer provided Minute Order document #22 from County Board of Supervisors of July 27, 2010 meeting which was given to Commission. It is the County's approval for the Tax Sharing Agreement and within that package the City of Imperial, City Clerk indication that City Council approved the resolution.

Executive Officer commented that this project is a small annexation to obtain a site for a future school as indicated but the City of Imperial Council Board, Ordinance 761, dated November 2009, zone change requirements under Cortese-Knox Hertzberg Act (CKH), Resolution 2009-53, dated November 2009, certified Mitigated Negative Declaration that the city prepared and LAFCO acting as a co-lead to do the CEQA documentation, and parcel map approved by City of Imperial, Exhibit H. The County Land Use Plan, this area is shown for future expansion, it was zoned into the County and proposed for pre-zoning with the City of Imperial. This area is within the City of Imperial's Sphere of influence. Under CKH 56.668, there are certain factors that the commission is required to consider A through P on the Executive Officer Report.

Executive Officer commented that this project was publicly noticed as required by the procedures established by the Commission and LAFCO policies and procedures as well as CKH. Just a reminder, that notification for LAFCO takes longer than City, City Planning Commission, County Board of Supervisors, City Council and County Planning. Cities and County require ten (10) days notice and LAFCO by statute (21) days. This is one (1) of the reasons projects don't make your commission meeting as quickly as you might think. After a City Council approves the project it depends when we get it and can notice it.

Executive Officer commented that the City of Imperial, Applicant, Imperial Irrigation District (IID), County and Imperial Unified School District are in the audience.

Chairman Leimgruber commented regarding water supply because of the IID conditions on approving projects and other issues forthcoming, will these conditions be opposed upon this annexation that is approved here at LAFCO level.

Executive Officer commented not necessarily, typically depending on project size and also type requires certain water assessments to be done. IID has not come forth with any objections of annexation to a City that already receives water and that indicates that it has adequate water supplies to service the project.

The Commission adopted the motion by Commissioner Edney to approve the project. The motion carried on the affirmative roll call of all Commissioners present.

4. Informational Items (Public/Commission/Staff).

Executive Officer commented that introduced to commission the approved unsigned Tax Sharing Agreement and so you can recognize the wrong on the report, it said it wasn't done at the time he wrote the report and if commission would recognize that it is completed.

Executive Officer commented there is a tentatively scheduled meeting for August 26th at 8:30 am. and it may change depending on information he receives.

5. Adjournment.

The meeting adjourned at 8:07 a.m.

Wally Leimgruber, Chairman



Jurg Heuberger, CEP
Executive Officer to LAFCO