
COMMISSIONERS

CITY

Don C. Campbell

CITY

Jason Jackson, Chairman

COUNTY

Michael Kelley, Vice-Chairman

COUNTY

Raymond "Ray" Castillo

PUBLIC

David H. West

Imperial



EXECUTIVE OFFICER

Jurg Heuberger, AICP, CEP

LEGAL COUNSEL

Ryan D. Childers

ALTERNATES

CITY

Maria Nava-Froelich

COUNTY

Jesus "Jack" Terrazas

PUBLIC

Ralph Menvielle

www.iclafco.com

ACTION MINUTES OF THE REGULAR LAFCO HEARING

August 27, 2015

8:30 a.m.

El Centro City Council Chambers

1275 Main Street, El Centro, CA

VOTING COMMISSIONERS PRESENT:

Jason Jackson, Chairman
Michael Kelley, Vice-Chairman
Don Campbell
David West

**ALTERNATE COMMISSIONERS PRESENT:
(NOT VOTING)**

Ralph Menvielle

ABSENT:

Ray Castillo
Jack Terrazas, Alternate
Maria Nava-Froelich, Alternate

STAFF PRESENT:

Jurg Heuberger, Executive Officer
Julie Carter, Accountant
Ryan Childers, Legal Council

REGULAR SESSION OF THE LAFCO CALLED TO ORDER AT 8:30 A.M.

3. Approval of Minutes from May 28, 2015.

Motion made by Commissioner West and passed by the roll call vote of Campbell, Jackson, Kelley, and West to approve the minutes as presented.

4. Approval of Consent Items:
A. Project Report Update

Motion made by Commissioner Campbell and passed by the roll call vote of Campbell, Jackson, Kelley, and West to approve the project report as presented.

5. Public Comments: *None*

ANNOUNCEMENTS

6. A. Announcements by the Commissioners.

Commissioner Kelley provided an update on the last CALAFCO Board of Directors meeting.

Commissioner Kelley reminded the Commission he represents Imperial County LAFCO at the State level as a CALAFCO Board of Director. CALAFCO had a very busy year with legislative issues. The Board worked very hard to achieve success for the future of LAFCO and how they stand in the eyes of the legislators. He commented on the outstanding performance of the current CALAFCO Executive Officer, Pamela Miller, and the extensive hours she works exceeding her contractual hours. At the last Board meeting held in San Diego, on July 31st, they addressed some very serious issues and how they relate to all the LAFCOs in the State of California. Commissioner Kelley handed out copies of minutes from the July 31st meeting which explains in detail the actions taken by the CALAFCO Board, including an increase in hours and pay for the current Executive Officer, and a potential raise in dues throughout the State. Some of these issues will be discussed in further details at the next scheduled CALAFCO Board of Director meeting during the annual conference in Sacramento.

Commissioner West provided an update on the latest CCL meetings.

Commissioner West reminded the Commission that one of the CALAFCO Board members had resigned. During the last CCL meeting there was discussion of CALAFCO deciding to make the replacement an elected position. Term limits were also discussed. Decision on term limits was none (being any limits). Both Commissioner West and the CCL recommended that Mr. Kelley continue on the CALAFCO Board. Mr. Kelley agreed to the recommendations.

- B. Announcements by the Executive Officer:

- LAFCO Executive Officer Mr. Heuberger announced the pulling of item # 14 from current agenda.

ACTION/DIRECTION ITEMS

7. Progress Report & Direction on action plan regarding proposed Niland Fire District Dissolution.

LAFCO Executive Officer Mr. Heuberger updated the Commission on the status of the Niland Fire District Dissolution. He notified the Commission of this project most likely going before them for

final resolution in November. Commissioner Kelley asked if residents are still paying the required fees. Mr. Heuberger replied that the assessment is still being collected. Commissioner Kelley invited the public to address any questions they may have.

One of the last steps for LAFCO EO to complete is a meeting with County CEO on issues that potentially affect the County, depending on the decision this commission makes. Most of the report is coming together; LAFCO EO still needs some clarification from the County. Mr. Heuberger commented that he feels the County is currently providing excellent fire protection services. If the district were to dissolve, the county will take over as its predecessor.

No action was taken on this item.

8. Progress Report update on the Winterhaven Fire District (WFD) MSR/SAP.

Mr. Heuberger reminded the Commission of this item being before them back in December, and per prior communications with the Fire Chief of WFD, they (WFD) were going to prepare and submit the MSR/SAP update. Mr. Heuberger has been working with the WFD Fire Chief for a while, and ultimately, as of this date, no plan has been submitted. As previously noted, Mr. Heuberger received a letter from WFD's attorney questioning why this commission did not take any action relative to the County's position of establishing a fire station in Winterhaven. This letter was shared with the Commission at the last meeting. LAFCO's Attorney, Mr. Childers, responded to their attorney indicating the County's actions were not subject to the purview of LAFCO and the attorney should contact the County.

However, since then, Mr. Heuberger was advised by the Assistant Chief (or interim, not sure of actual title) that the prior Chief had resigned and all further communications would have to be with said individual (this was during the last ten days or so). As of this date, LAFCO has not received the Service Area Plan, or any indication that WFD are capable or willing to prepare the Service Area Plan.

LAFCO Executive Officer Mr. Heuberger has been informed that the County no longer subsidizes the WFD, and the contract between the WFD and the Quechan Nation is no longer in effect. Mr. Heuberger believes these were the two primary financial systems that keep the district operational. He does not have the full picture of other revenues the District may have, but with the other revenues that he is aware of, it is questionable if the district can be functional as a Fire District. He asked for direction from the Commission to proceed with preparing the MSR/SAP, and then make a determination based on that.

Commissioner West asked what the options were; if they can start dissolution. Mr. Heuberger explained that dissolution cannot start until the review is completed.

Motion made by Commissioner West and passed by roll call vote of Campbell, Jackson, Kelley, and West to approve LAFCO to proceed with preparing a Service Area Plan / Municipal Service Review for the Winterhaven Fire District to be presented to Commission within 6 months.

9. Progress Report update on Seeley County Water District (SCWD) MSR/SAP.

LAFCO staff is currently working with SCWD on their MSR. Mr. Heuberger reminded the Commission of Seeley County Water District's board and staff members being relatively new. Between the transition SCWD has experienced, and the lack of historical background, it has been

somewhat difficult to pull all information together. However, staff is currently working with assisting the district in putting together a reasonable report.

No action was taken on this item.

10. Update on 1122 State Street building renovations / progress.

Mr. Heuberger informed the Commission that one portion of the authorized / approved renovations, being the landscaping, has been completed. The other portion, which is the disability accessible restroom, is still in the permitting stage. The city requested the contractor to make some modifications. Construction will begin as soon as permits are obtained.

No action was taken on this item.

11. Fiscal 2015-2016 Budget Update / Adjustment continued from May meeting.

Commissioner Jackson announced he had a request from Commissioner Castillo to delay or pull this item. Commissioner West asked for the reasoning, if any. Commissioner Jackson replied that due to the substance of said item, Commissioner Castillo wanted to have a full commission in place for discussion, and had some questions that he wanted to bring forth. Commissioner Jackson asked for the feelings of the rest of the Commission. Commissioner West replied that this has already been delayed once, doesn't see any reason for another delay. Commissioner Kelley informed the Commission of Commissioner Castillo's concern being a raise that was retro-active. Mr. Heuberger clarified that the request was not for a raise that would be going backwards; it's for a raise to go forward. If calculated out for the last 7 years based on the typical increases given county employees, the increase would have been substantially more than the amount currently being requested. Commissioner Kelley asked what the percentage was of current requested increase. Mr. Heuberger responded a little less than 20 percent and if averaged over 7 years it amounts to less than 3 percent.

Motion made by Commissioner West and passed by roll call vote of Jackson, Kelley, and West, to approve the increase in salary for LAFCO Executive Officer as requested on May 28, 2015 and as included in final Fiscal 2015-2016 Adopted Budget. Commissioner Campbell denied approval by roll call vote.

PUBLIC HEARING ITEMS

12. [8:35 am] Public Hearing to consider the Service Area Plan / Municipal Service Review for the Heffernan Memorial Healthcare District (HMHD 1-15) in Calexico, CA.

This item is following the continuation from December 2014 thru May 2015 by prior direction from this commission for the Service Area Plan / Municipal Service Review and Sphere of Influence to be updated by agreed upon consultant, Bob Braitman & Associates, with Heffernan Memorial Healthcare District paying for said consultant to prepare the report.

Mr. Heuberger reminded the Commission of State statutes that govern LAFCO's operations require MSR's be done every 5 years. The intent is to determine viability of Special Districts and Cities to determine what actions LAFCO is to take, if any. Among the actions to take are potential

dissolutions of the district. There have been a number of meetings by which all parties have been helpful, cordial, and have provided useful information. The meetings have been with El Centro Regional Medical Center (ECRMC), Pioneers Memorial Hospital (PMHD), County Health Director; and Mr. Rivera from Heffernan Memorial Healthcare District (HMHD). Representatives from all parties happened to be present at today's meeting for comment.

There have been several meetings with Mr. Rivera, with the most recent meeting being yesterday. LAFCO staff and consultant have tried to be as transparent and upfront as could be with sharing information and keeping everybody updated.

Commissioner Campbell addressed Mr. Heuberger asking if he met with Mr. Rivera in regards to an agreement that this study would be done.

Mr. Heuberger responded that back in December LAFCO EO asked this Commission for direction and permission to prepare the MSR in house. At that time Heffernan asked if they could prepare the SAP/MSR. The Commission agreed and essentially gave the District 120 days to complete. Back and forth communication with Mr. Rivera resulted in Heffernan saying go ahead and do the report under LAFCO, and to hire a consultant. LAFCO staff provided Mr. Rivera with a list of consultants for the selection, Braitman & Associates was chosen. Mr. Rivera agreed with the selection of consultant Braitman, the fees provided by consultant, and the payment of fees and cost to prepare SAP/MSR to be paid by HMHD. LAFCO entered into a contract with Braitman & Associates to prepare the SAP/MSR/SOI.

Mr. Braitman addressed the Commission and discussed the prepared report in summary. He stated Heffernan is as one of about 70 special districts in California formed under the Local Healthcare District Law. The District boundaries encompass the city of Calexico; about 98% of the registered voters of the District are registered voters of the city. The District is governed by a 5 member Board of Directors elected at large by the voters throughout the District. The District has no full time staff. Current staff consists of 4 part-time contract employees, Legal Counsel, Board Secretary, Accountant and Custodian. The Legal Counsel provides both legal and administrative support.

HMHD at one time operated a hospital that has since been closed. The District receives a portion of the 1% property tax collected within its boundaries; the amount received is unrelated to what the District does. This amount received is based on District property tax rate from Proposition 13 approval, which was some 20 years prior to the closing of the District's hospital, and is adjusted every year to include any assessed growth in the boundary.

Mr. Braitman expressed the importance of understanding the context of which the District exist; and the relevance of other governmental agencies, being the County of Imperial Health Department, the City of Calexico, the City of El Centro (which has a hospital closest to the HMHD), and Pioneers Memorial Healthcare District (PMHD); all of which can provide healthcare services.

PMHD staffs and operates the Calexico Health Center which is outside of PMHD district boundary, but is within the HMHD boundary. The center is described as a full service healthcare and Urgent Care Center with physicians providing servesservices to the residents of Calexico and neighboring communities. Mr. Braitman reminded the commission of the once existing Joint Powers Memorandum of Agreement between PMHD and HMHD to help finance the expenses for extended night hours at the center. It was mutually determined the utilization was no longer justified and the MOA is no longer active.

Mr. Braitman's analysis is as follows:

The LAFCO commission has two obligations; being the SAP/MSR & SOI updates. After examining the District history and current expenditures of public funds, we believe the current governmental organization in Imperial County should be modified for the overall public good. We have identified some options which we will address.

The revenue source is property tax. Last year HMHD received about \$520k in property taxes, this year it is estimated to receive about \$584k. This amount is the direct result of what is received from Proposition 13 and growth in assessed value since that time.

The annual administrative costs to maintain the District is about \$100k. This includes expenses paid to the Board and to the contract staff, and represents about 20% of the revenue the District collects.

The District closed its acute care hospital in 1998 and since that time has not operated any healthcare facilities. Although the hospital was abandoned the District was not dissolved and continues to operate and receive property taxes.

The District currently owns and maintains an office building in Calexico which also services as a meeting facility for healthcare organization. This year the District purchased an office complex in Calexico intended for the use of healthcare providers. HMHD is currently negotiating with physicians for the use of this space.

The District expends its funds for a variety of programs. Some expenditures, which aren't traditionally thought as healthcare programs, have been listed in the report. These expenditures raise questions as to whether they are the best use of public resources given the healthcare challenge facing the residents of the District. It's questionable whether the current expenses are in line with the mission statement provided by HMHD.

Information provided by the District to help prepare the SAP/MSR report illustrates a difficult situation facing the community, and challenges facing the District on implementation of health related services for the District residents. The District is underserved with health services and is attempting to recruit health care providers.

The question for LAFCO is "what governmental options are available":

Option 1- Status Quo- There would be no change in the current governmental structure and the Heffernan Memorial Healthcare District would continue to exist and operate as it currently does.

Option 2- County of Imperial as Successor – Dissolve the District and reallocate the property taxes to the County.

Option 3- Establish a Subsidiary District – The District would continue to exist and the governing Board would be the Calexico City Council.

Option 4- City of Calexico as Successor - Dissolve the District and turn the assets over to the City of Calexico. Cities can provide the same services as the district.

Option 5-Dissolve HMHD and Annex to PMHD - PMHD boundaries would grow to include the area.

Mr. Braitman advised the commission he listed these alternatives without necessarily supporting one or the other, and acknowledged he was aware of some other options that have come up since the report was prepared. One of the additional options would be to replace HMHD with a County Service Area. This option would result in the County Board of supervisors governing the District.

In any alternative other than status quo, the expenses necessary to maintain the District would be reduced or eliminated, making funds available for services benefiting the public.

In conclusion of Mr. Braitman's report summarization, he advised the Commission of his change in recommendation regarding the proposed MSR/SOI/SAP to evolve from this meeting. Original recommendation was that they 1) accept any public testimony regarding the proposed MSR/SOI/SAP, 2) approve the MSR determinations with any changes deemed appropriate, 3) approve SOI determinations and affirm the existing SOI, 4) adopt a resolution to dissolve the HMHD and annex to PMHD creating one district. Based upon what LAFCO staff has informed today and some of the other alternatives being discussed, he advised the Commission he is amending original recommendation 4. He is going to allow that recommendation of where the Commission should go from here to evolve from this meeting.

Mr. Braitman completed his analysis and offered to respond to any questions or comments.

Commissioner Kelley stated he read the report, asked Mr. Braitman if he made any contact with ECRMC, stating he didn't see any concrete evidence that contact was made in the report. Stated he didn't see any option that was given to ECRMC. Commissioner Kelley asked ECRMC if they were contacted.

Mr. Braitman responded he met with ERM staff and could provide times and dates.

ECRMC CEO Tomas Virgen stated there had been a meeting within the last 10 days with Mr. Heuberger but not Mr. Braitman.

LAFCO Executive Office Jurg Heuberger responded that both he and Mr. Braitman met with staff of ERM.

Commissioner Kelley stated he read Mr. Braitman's report, highlighted the expenditures for staffing and the donation expenditures, stating he doesn't think it's appropriate for Heffernan to utilize the money for those services and not healthcare. He commented that the Board meets two times a month and nothing has been accomplished since 1998, and wonders where the administrative direction is that leads Heffernan to go forward with respect to their obligation of providing medical services to the community of Calexico. He stated he is not at the point to make a motion to dissolve and wouldn't support a motion to dissolve at this time. He feels there needs to be a window of opportunity for HMHD to come up with a business plan to show this agency that they can go forward with providing medical care to the residents and the community of Calexico. There's room for flexibility, it can be done, we are not at the point where one agency will step in and dissolve another agency. He is concerned that the residents of Calexico may be underserved, or not served, and expressed the need for medical healthcare services for this community. It is necessary that this issue be brought to LAFCO. The window of opportunity

should be open for HMHD to come back to this Commission, within a reasonable time frame, and show us a plan where they will be utilizing the District's funds to provide the residents of the District with medical healthcare services.

Commissioner Campbell addressed Mr. Braitman and stated he reviewed the report that Braitman & Associates provided. HMHD provided 3-4 years of information showing where some of the funds went. He expressed concerns that some purchases, such as emergency vehicles and defibrillators, not being reflected in the report. He has full faith in both ECRMC and PMHD hospitals. He felt it not fair to put together a report and omit certain things such as programs they are trying to put in place, like cancer screening and senior care, but cannot move forward with these programs not knowing if the funding will be there, and not knowing if they will exist if this Commission deems to dissolve. He feels it's not right for a community to pay taxes to create a Healthcare District and then have somebody else come in, take the funds and dissolve the District. We should get together and help them do what they need to do to provide healthcare services to the community of Calexico and residents of the District. He does not feel that dissolving the District is the right thing to do at this time. Nowhere in the report does it mention that Heffernan donated 3 or 4 ambulances to the Calexico Fire Department. HMHD spent thousands of dollars in medical equipment for the city.

Mr. Braitman advised the Commission, if they refer to the Appendix, he has indicated from the documents submitted by HMHD what they've spent. It included Telemedicine Endocrinology Clinic visits. He agreed if we went over more than 2-3 years of information, there are expenditures in the area that Commissioner Campbell mentioned. He also received information that money spent was reimbursed to the District. He stated the point that has to be made is, by just identifying recent expenditures doesn't mean the District hasn't done other things, he is indicating the healthcare needs of Calexico need to be met and the District could be doing more to meet these needs.

Commissioner Campbell asked Mr. Braitman if the report cost HMHD \$13k.

Mr. Braitman replied he would have to find out what the billing has been; it is very possible.

Commissioner West had questions in regards to the Joint Exercise of Powers Agreement with the City of Calexico and HMHD for monies collected. He asked if HMHD is administering care of the \$1.5 million, if the money has been spent or still banked.

Mr. Braitman responded that these funds are from a supplemental sales tax revenue measure by which monies was collected, but has not been collected since 2006. The amount of \$1.5 million in the bank is based upon the supplemental sales tax, and is spent periodically by the Joint Power as deemed necessary.

West commented that going forward he would like to see some documentation on where this money is going.

Commissioner Kelley replied that it is up to the Districts discretion as to where it goes. Now that it is in the bank all you can go on is the existing \$584k a year, the other money in arrears is to be utilized on the projects as they come up.

Commissioner West asked if these funds are to be used for medical care.

Mr. Braitman confirmed the purpose of the supplemental sales tax was intended to be used for District medical care

The meeting was opened up to public comment.

Mr. Rivera from HMHD stated we disagree with the paid by District report that Mr. Braitman prepared, and disagrees with the recommendation that up until this day has changed. We disagree with the recommendation that PMHD annex and that HMHD be dissolved. According to the resolution in the report, this Commission is being asked to vote, per recommendation and staff, to dissolve HMHD and transfer all property and obligations of HMHD to an annexing PMHD. He commented that PMHD Board of Directors have not voted to annex the HMHD, that the two districts are 35 miles apart, and none of the PMHD Board of Directors live in Calexico. He believes that not one person from Calexico here today, or in the past 6 months, have said to dissolve Heffernan. Now today we are told to forget the recommendations from the report, which was paid for by HMHD costing \$13,500, and now they (report preparers) changed the plan.

Commissioner Kelley thanked Mr. Rivera for his comments, asked that they keep to the issue as to why they are here, and asked if he thought that a lead should be taken by HMHD to come up with a business plan to move forward with allowing the community of Calexico the opportunity to receive medical care stating "which is what it's all about". Mr. Rivera agreed with Commissioner Kelley's comments.

Mr. Rivera provided the Commission, and Mr. Heuberger, with a document and asked that they direct their attention to everything that's behind the blue page of the document. He commented that El Centro Regional has had a clinic in Calexico for the longest time, and the Heffernan district supports and respects them; he believes the respect to be mutual. He explained the document contains six items and addressed the first item as being a letter granting Dr. Tristan, who is a pediatrician that has been in Calexico for the last 15 years, use of one of their offices for a Child Obesity Study. She will move in next week or the next following weeks as soon as they can. This is something that has occurred now, and this is how the District is providing healthcare services now.

Commissioner Jackson asked when those talks begin as the date of this letter is three days ago.

Mr. Rivera replied the talks starting approximately last October. He explained that they had to go through an RFP process and review proposals. So, now in the process of negotiating and putting together an agreement, it's been just recently. It has been a long term discussion item for at least 9 or 10 months

Commissioner Jackson asked Mr. Rivera if the driving force for that letter of intent was what's before us today. Mr. Rivera responded "yes".

Mr. Rivera addressed a second letter, which is a Letter of Intent with Imperial Valley Multi-Specialty Medical Group, Inc (IVMS) dated August 24th-2015. He explained IVMS as being a group of doctors who will be establishing a clinic in El Centro, and came to HMHD as a result of an RFP for medical services which HMHD put out because they purchased a medical facilities building.

Commissioner Kelley asked Mr. Rivera the square footage of the building and the amount of office spaces.

Mr. Rivera responded about 6 or 7 depending on the office configuration. Dr. Tristan will occupy one of the suites. We are in negotiations. We have a letter of intent with the group of doctors from El Centro; hopefully this group will provide a satellite office in Calexico where these specialties are going to be offered to the community of Calexico. The medical group is also working with UCSD and hopefully we (HMHD) can partner with the telemedicine provisions of UCSD. HMHD currently have ongoing relationships with UCSD and the Clinicas De Salud Del Pueblo. The Clinicas de Salud Del Pueblo provides care, along with doctors from UCSD, in their Calexico facility through grants sponsored by Heffernan. This is what HMHD envisions in the 400 Mary Avenue property.

Commissioner Kelley asked the likelihood of the services in the Letter of Intent becoming a reality. Mr. Rivera replied it is a fair reality of about 80-85%.

Mr. Rivera advised the commission of the Districts serious efforts in trying to bring healthcare, spending an incredible amount of money with St. Pauls of San Diego who run PACE programs. The District tried as hard as they could to make a go of this program by contacting our Senators and Assemblyman, but was never able to get the State of California Healthcare District to reimburse St. Pauls at an adequate amount to make a go of the program.

Commissioner Kelley commented this is why we should rely on our local healthcare providers as a contracted basis.

Mr. Rivera stated that a lot of their efforts never came to fruition. He expressed shame on their District and shame on the State Department of Health for not recognizing that Calexico is underserved. If their efforts came to fruition, it would have been the first rural PACE program in the entire State of California. Commissioner Kelley comments he was surprised that the State did not acknowledge this.

Mr. Rivera advised the Commission of their ongoing relationship with St Pauls of San Diego stating they drafted a huge agreement; they obtained consultants that guided them through to the point that they were ready to purchase a building for a PACE program in Calexico, but felt that the State failed them. He expressed that they are accustomed to being left out in their corner and being denigrated as not doing anything.

Mr. Rivera advised the commission of the Hosanna Foundation currently providing psychological services, anger management, and domestic violence counseling. Commissioner Kelley asked if they are doing a 3 month pilot program. Mr. Rivera clarified that this is a pilot program, which has been very successful. Commissioner Kelley asked if they anticipate engaging in a contract with them to make these services available on a full time basis. Mr. Rivera replied that yes it is their intent.

Mr. Rivera advised the Commission of information that is not presented due to documentation being confidential (being trade secrets). At HMHD last meeting, PMHD and HMHD entered into an MOU for the reestablishment of the midnight to 8am Urgent Care Center. We (HMHD) are going to do it all over again, spending our funds to grant this service to Calexico. Right now if someone gets sick, they cannot go to the center because it is closed. We agree that this needed some fine tuning and we have made tuning adjustments. We (HMHD) also agreed to engage in other programs like medical transportation between the districts. We (HMHD) are working together, PHMD did not demand that we provide these services; it is a result of a mutual agreement on what they feel best for the community of Calexico.

Commissioner Kelley asked Mr. Rivera his reception of this Board allowing HMHD a timetable to negotiate with both Regional Hospitals, and anyone else, to come back with a business plan showing this Commission how they (HMHD) will be going forward with providing medical healthcare services to the community of Calexico.

Mr. Rivera responded we do not have a problem with that; the only thing we have a problem with is that you (LAFCO Commission) don't hold a mallet or a hammer over our head, and that mallet or hammer is "if you don't do it then we are going to dissolve the District". He also stated they would not have a problem coming back to this Commission multiple times to show what they are trying to do.

Both Commissioners Kelley and Campbell stressed there is no hammer in their hands, and clarified that their intent is to assist Calexico to make sure that the people are getting what they need as far as healthcare.

Mr. Rivera responded we want the same, we will report back, that's not a problem, but in our meeting with your staff, that was a recommendation, but that mallet was there.

Commissioner Jackson interjected commenting that in all due fairness, Mr. Rivera answered a question he asked a minute ago. "What was the driving force of you signing Letters of Intent and seeking out these partnerships with other medical facilities? The driving force was that mallet" With all due respect, for 20 years the citizens of Calexico have not been provided the medical services that they are paying for.

Mr. Rivera commented we disagree.

Commissioner Jackson commented, none the less there are people in Calexico that aren't receiving medical care, and those burdens are being placed on other medical facilities in the county. We are not threatening or holding the mallet, I think in your words the mallet has pushed forward, been the driving force to initiate these Letters of Intent or these associations with other medical facilities. If we are going to move forward, I agree with my colleagues, I don't have a problem with giving a timeline, but it can't be without consequence. We don't want to wait another 15-20 years and have this same discussion. There has to be a consequence if the Heffernan board cannot move forward, cannot substantially provide for their citizens based on the assessments being paid by their citizens.

Mr. Rivera commented there was no mallet 4 years ago when Heffernan entered into a 3 year contractual obligation with PMHD to provide the Urgent Care Center. No mallet when Heffernan provided the City of Calexico with ambulances for the Fire Department, defibrillators for the Police Department, no mallet when they contributed CAT scan equipment to ECRMC. He wanted to know what action the Commission is going to take. Will the action say "business plan, timeline, and if not we are going to dissolve"; he hopes that not to be the intent.

Commissioner West commented we have all read all this, we are all business people; we know what's in it. I appreciate your talk. When it comes to looking in the future as far as timelines, we are reasonable people. We simply want to help you get where you need to go, and if that means monthly reports over a one year or two year periods there's nothing wrong with that. If things aren't being met then we need to say why you haven't got this done. It's a reasonable thing. If you assume we have the desire or mind made up to get rid of you, that's a wrong indication. No one here is going to try to get rid of Heffernan District just to be mean, we want to see if we can help. That's all there is to it, I've read everything several times.

Mr. Rivera commented we are not opposed to a business plan and reporting back on a timeline, we concur, we encourage this help, we are grateful that this Commission has expressed this support for us. I'm making comments in regards to things I have heard from your staff.

Mr. West commented you are concerned about the possible dissolution, but that may have to be there in order to get the information we need on a regular basis. It doesn't mean that we will get mad one day and make that decision, it doesn't work that way.

Commissioner Kelley responded stating the Board makes the decision, not one person.

Commissioner Jackson stated what Commissioner West was saying is correct. We are not here to say you are done, or tomorrow move all your assets from one entity or another. What we are here to do is to help guide getting the appropriate level of healthcare services to the citizens of Calexico. We think you can do it; our staff is willing to work with you. We need to have a plan in place so there is an idea and a roadmap of where we are going and how we are going to get there.

Multiple individuals from the community of Calexico commented in favor of not dissolving the HMHD, thanked the District for help provided, thanked the LAFCO Commission members for being fair, and expressed confidence in HMHD being able to come up with a plan to provide healthcare to the community of Calexico. The general consensus from the public speakers is the LAFCO Commission is being fair by allowing HMHD the time and opportunity to demonstrate they can provide healthcare to the community of Calexico.

Motion made by Commissioner Jackson to delay action for 60 days to provide a timeline for attaining the roadmap for HMHD to prepare a "business plan" and to report back to this Commission within 60 days on the progress or content of such a plan. Approved and passed by the roll call vote of Campbell, Jackson, Kelley, and West.

13. [8:45 am] Public hearing to consider the approval for the updated Service Area Plan / Municipal Service Review for the City of Imperial (IM 4-15) in Imperial, CA.

Mr. Heuberger briefly reviewed the Executive Officer's report and the attached Draft SAP/MSR and SOI for the City of Imperial. He informed the Commission that this project consist of Sphere of Influence boundary update and required matching updated Service Area Plan / Municipal Service Review for the City of Imperial. The staff recommendation is essentially to approve the revised SOI and the SAP/MSR at the end of the public hearing. The packet contained the actual SAP/MSR which is in draft form and will remain a draft until the Commission approves it and it goes back to City Council for final adoption pursuant to any modifications the Commission may have, if any.

Commissioner West questioned if the plan has changed since the last time; particularly wanted to know if they stretched out the SOI, or if it was basically the same. Mr. Heuberger stated they are enlarging the SOI; being a slight increase but nothing dramatic. Mr. Heuberger states the SAP meets the requirements of the Cortese-Knox-Hertzberg Reorganization Act of 2000, and the conditions outlined in Government Code 56000 et al seq. He believes the SAP/MSR demonstrates that the City has, or will have, the capacity and capabilities of providing services.

Motion made by Commissioner West and passed by roll call vote of Campbell, Jackson, Kelley, and West to approve the updated SOI and Service Area Plan / Municipal Service Review for the City of Imperial (IM 4-15) in Imperial, CA.

14. [8:55 am] Public hearing to consider the annexation of Regional Park & Equestrian Center (IM 1-15).

This item was pulled from the agenda. No action was taken.


Commissioner Campbell asked if City was aware of information needed in order to proceed with project. Mr. Heuberger informed them that tax agreement was one of the documents still needed.

EXECUTIVE SESSION

No Executive Session Items.

Meeting Adjourned at 10:40 a.m.

Jason Jackson, Chairman



Jurg Heuberger, AICP, CEP
Executive Officer to LAFCO

