

**EXHIBIT B**

**CERTIFICATE OF FILING**

(Government Code 56658 (g) Cortese-Knox-Hertzberg Reorganization Act of 2000)

I, JURG HEUBERGER, C.E.P., as the Executive Officer to the Local Agency Formation Commission of the County of Imperial (LAFCO), do hereby certify that:

1. The APPLICATION referenced and described below has been submitted to me and has been found to be in the form prescribed by the Local Agency Formation Commission of Imperial County, and in substantial conformity with the Act.
2. The APPLICATION contains the information and the data and signatures as required by this Commission and applicable provisions of State law and has been accepted for filing.

EFFECTIVE DATE: 10/21/15

APPLICATION TITLE: HV 4-15 (Higgins)

APPLICANT(S): City of Holtville

LEGAL DESCRIPTION: (See map and legal description)

GENERAL LOCATION: North of the City of Holtville at the NW corner of 9<sup>th</sup> and Cedar Ave.

DATE OF HEARING: January 2016  
[NOTE: Hearing date is tentative and may vary.]

AFFECTED AGENCIES: **(See listing at the end of notice)**

CEQA LEAD AGENCY: City of Holtville

This certificate of filing is issued pursuant to Section 56658 of the Government Code, State of California. All time requirements and limitations for processing and consideration of this application specified by State law and/or rules and the regulations of the Imperial County Local Agency Formation Commission shall become effective on the date of issuance of this certificate.

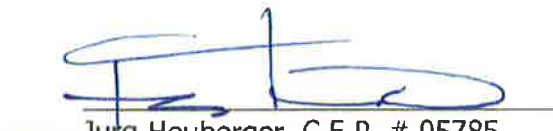
**NOTICE TO READER & EACH SUBJECT AGENCY & RESPONSIBLE AGENCY:**

Under the provisions of the CORTESE-KNOX-HERTZBERG REORGANIZATION ACT OF 2000 (Gov. Code 56000 et. seq.) you have certain responsibilities as well as opportunities to respond to this application. You must respond to the Executive Officer in a timely manner in order for your concerns or comments to be addressed!

**SPECIAL NOTE:**

This application was received by LAFCO on October 21, 2015 It was deemed incomplete due to the fact that the City of Holtville had not yet prepared the Land Use and Environmental reviews. The LAFCO according to policy and in an effort to allow for a project to be on "parallel" track "conditionally" accepted the application.

LAFCO has now been informed that the project is being reviewed by the City of Holtville with the first hearing is unknown dependant on City land use time for a determination on the CEQA issues. Therefore to commence the completion of the LAFCO process, this certificate of filing is issued pursuant to the express understanding that if the City of Holtville does not complete the processing on the Land Use and Environmental side of the project, the tentative hearing may be continued.



Jurg Heuberger, C.E.P. # 05785  
Executive Officer to LAFCO

**Notification listing:**

County Planning Commission [with copies]  
Clerk of the Board of Supervisors [with copies]  
Clerk of IID Board of Directors [with copies]  
City of Holtville City Clerk [with copies]  
City of Holtville City Manager  
City of Holtville Planning Director  
City of Holtville Public Works Director  
IID General Manager, General Manager  
California Highway Patrol Office  
Calif Dept of Transportation (CALTRANS)  
Superintendent of iCOE  
Southern California Gas Company  
County Sheriff Department, Ray Loera  
County Executive Officer, Ralph Cordova  
County Counsel, Katherine Turner  
County Public Works, Bill Brunet  
Assessor's Office, Mr Robert Menvielle  
Auditor's Office, Doug Newland  
County Planning Director J Minnick  
LAFCO file: HV 4-15 (Higgins)  
Applicant: Mr & Mrs Higgins

JHDEBISLAFCO\CityofHoltville\COF HV4-15 Higgins

# NOTICE OF FILING AND TRACKING FORM

STEPS FOR LAFCO PROJECTS

## LAFCO ANNEXATION (S)

DEPARTMENTAL USE ONLY

Date: October 21, 2015 City: Holtville Annexation #: HV 14-15

1.  Resolution of Applicant by affected local agency  
 Petition with acquired signatures of landowners or registered voters

2. APPLICATION RECEIVED BY LAFCO ON: 10/21/2015

3. THE LAFCO EXECUTIVE OFFICER herewith provides "Notice of Filing" to the County's ASSESSOR, AUDITOR, CEO, and issues a "CERTIFICATE OF FILING" to APPLICANT and other parties of interest, dated; 10/21/2015

4. ASSESSOR:

Within twenty **20 days** of the above notice of filing date, **(step 3)**, provides report to Auditor which identifies assessed valuation for territory subject to jurisdictional changes and tax rate area(s).

**DUE TO AUDITORS OFFICE BY:** 11/9/2015

5. AUDITOR:

- A: Estimates amounts if property tax revenue generated in territory subject to jurisdictional changes during the current fiscal year.
- B: Estimates proportion of Property tax revenue.
- C: Within forty **40 days** of the above notice filing **(step 3)**, Auditor notifies governing body of each service area is altered, of the amount of property tax revenue estimated, and the exchange pursuant to the master agreement of subject to a negotiated exchange.

**DUE TO SUPERVISOR & CITY BY:** 11/29/15

6. Each governing body transmits within thirty **(30) days** of receipt of notification from Auditor, **(step 5)** a resolution of acceptance of the exchange of property tax revenue to the LAFCO Executive officer.

**DUE TO LAFCO EXECUTIVE OFFICER BY:** 12/29/15

7. Tentative Notice of LAFCO Hearing given by LAFCO EXECUTIVE OFFICER: 01/07/16

8. After the LAFCO public hearing is held the decision is final.

Copy to:  Assessor  Auditor  CEO  PW  County Counsel  Applicant  Other \_\_\_\_\_

RECEIVED

OCT 07 2015

Imperial County  
LOCAL AGENCY FORMATION COMMISSION



# APPLICATION

## PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

*The undersigned hereby petition(s) the Local Agency Formation Commission of Imperial County for approval of a proposed change of organization, and stipulate(s) as follows:*

OWNER INFORMATION	
NAME Earnest Wayne Higgins	COMPANY
MAILING ADDRESS PO Box 73	TELEPHONE NUMBER 760-791-5871
CITY, STATE, ZIP Holtville, CA 92250	EMAIL ADDRESS ernie@pmc-us.com
APPLICANT INFORMATION (IF DIFFERENT FROM THE OWNER)	
NAME	COMPANY
MAILING ADDRESS	TELEPHONE NUMBER
CITY, STATE, ZIP Imperial, CA 92251	EMAIL ADDRESS
PROJECT INFORMATION	
NAME OF PROPOSAL Higgins Project	DATE 10-7-15
PROJECT ADDRESS 9th Street and Cedar Avenue	APN(S) 045-390-051-000 and 045-390-053-000
CITY, STATE, ZIP Holtville, CA 92250	TOTAL LAND AREA (ACRES) .42 acres
<b>THIS PROPOSAL IS MADE PURSUANT TO CALIFORNIA GOVERNMENT CODE (COMMENCING WITH SECTION 56000, CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000).</b>	
1	PROPOSED CHANGE(S) OF ORGANIZATION: <input checked="" type="checkbox"/> ANNEXATION <input type="checkbox"/> SPHERE OF INFLUENCE <input type="checkbox"/> OTHER <input type="checkbox"/> DETACHMENT <input type="checkbox"/> CONSOLIDATION <input type="checkbox"/> EXTENSION OF SERVICES <input type="checkbox"/> INCORPORATION <input type="checkbox"/> FORMATION OF _____
2	NAME OF THE CITY/SPECIAL DISTRICT BEING AFFECTED <b>Holtville, Ca</b>
3	THE PROPOSED BOUNDARIES OF THE TERRITORY(IES) INCLUDED IN THE PROPOSAL ARE AS DESCRIBED IN THE EXHIBIT(S) ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN. <input checked="" type="checkbox"/> YES, BOUNDARY EXHIBITS ARE ATTACHED

4	PLEASE LIST ANY OTHER DOCUMENTS BEING SUBMITTED WITH THE APPLICATION ( <i>EXCEPT THOSE ALREADY REQUIRED BY LAFCC</i> ).		
5	THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE:	<input checked="" type="checkbox"/>	UNINHABITED <input type="checkbox"/> INHABITED (12 OR MORE REGISTERED VOTERS)
6	CURRENTLY, THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE:	<input type="checkbox"/>	DEVELOPED <input checked="" type="checkbox"/> UNDEVELOPED
7	IS THIS PROPOSAL CONSISTENT WITH THE SPHERE OF INFLUENCE OF THE AFFECTED CITY AND/OR DISTRICT?	<input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO
8	PLEASE DESCRIBE IN DETAIL, THE REASONS FOR THE PROPOSED CHANGE OF ORGANIZATION (ANNEXATION, DETACHMENT, ETC.). USE ATTACHED SHEET IF NECESSARY. No water available to the property from the IID due to canal piped underground. Annexation required before connecting to newly installed water and sewer at this location.		
9	THE PROPOSED CHANGE OF ORGANIZATION IS REQUESTED, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS: N/A		
10	WOULD THIS PROPOSAL CREATE AN ISLAND OF UNINCORPORATED TERRITORY? IF YES, PLEASE EXPLAIN.	<input type="checkbox"/> <input checked="" type="checkbox"/>	YES NO
11	IS THERE A GOOD LIKELIHOOD OF A SIGNIFICANT INCREASE IN POPULATION IN THE SUBJECT AREA WITHIN THE NEXT TEN YEARS? IN UNINCORPORATED AREAS? <input type="checkbox"/> YES <input type="checkbox"/> NO IN INCORPORATED AREAS? <input type="checkbox"/> YES <input type="checkbox"/> NO ESTIMATED ADDITIONAL POPULATION: _____		
12	WHAT IS THE EXISTING ZONING? WHAT IS THE PROPOSED ZONING?	R1 Single Family R1 Single Family	
13	HAS OR IS THE AREA BEEN/BEING PRE-ZONED? WHAT IS THE PRE-ZONING CLASSIFICATION? WHAT DATE WAS THIS PRE-ZONED?	<input type="checkbox"/> _____ _____	YES <input checked="" type="checkbox"/> NO

14	WHAT IS THE PLANNED GENERAL PLAN DESIGNATION OF THE AREA BY THE AFFECTED CITY? Residential
15	DESCRIBE ANY SPECIAL LAND USE CONCERNS EXPRESSED IN THE ABOVE PLANS. None
16	SPECIFY ANY AND ALL EXISTING LAND USES: Residential WHAT ARE THE PROPOSED LAND USES? Residential DESCRIBE YOUR PROJECT IN DETAIL: Build single family home on corner lot and in the future build workshop on west adjoining lot.
17	DOES THE APPLICATION CONTAIN 100% WRITTEN CONSENT OF EACH PROPERTY OWNER IN THE SUBJECT TERRITORY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
18	WILL THE ANNEXED TERRITORY BE LIABLE FOR ITS SHARE OF EXISTING BONDED INDEBTEDNESS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
19	WILL THE ANNEXED TERRITORY BE INCLUDED WITHIN ANY PARTICULAR TAX DIVISION OR ZONE OF THE ANNEXING TERRITORY? PLEASE SPECIFY.
20	IF THE PROPOSAL INCLUDES THE CONSOLIDATION OF SPECIAL DISTRICTS, THE PROPOSED NAME OF THE CONSOLIDATED DISTRICT IS: NA
21	IF AN INCORPORATION IS INCLUDED IN THE PROPOSAL: (A) THE NAME PROPOSED FOR THE NEW CITY IS: NA (B) PROVISIONS ARE REQUESTED FOR APPOINTMENT OF: (i) CITY MANAGER <input type="checkbox"/> YES <input type="checkbox"/> NO (ii) THE CITY CLERK AND CITY TREASURER <input type="checkbox"/> YES <input type="checkbox"/> NO

22	<p>IF THE FORMATION OF A NEW DISTRICT(S) IS INCLUDED IN THE PROPOSAL:</p> <p>(A) THE PRINCIPAL ACT(S) UNDER WHICH SAID DISTRICT(S) IS/ARE PROPOSED TO BE FORMED IS/ARE:  <b>NA</b></p> <p>(B) THE PROPOSED NAME(S) OF THE NEW DISTRICT(S) IS/ARE:  <b>NA</b></p> <p>(C) THE BOUNDARIES OF THE PROPOSED NEW DISTRICT(S) ARE AS DESCRIBED IN EXHIBIT'S  <b>NA</b>, INCORPORATED HEREIN.</p>
23	<p>THE PERSON(S) SIGNING THIS PETITION HAVE SIGNED AS: <span style="float: right;">(CHECK ONLY ONE)</span></p> <p><input type="checkbox"/> REGISTERED VOTERS</p> <p><input checked="" type="checkbox"/> OWNERS OF LAND</p>
24	<p>AS REQUIRED, THE FOLLOWING ITEMS ARE ENCLOSED WITH THIS APPLICATION:</p> <p><input checked="" type="checkbox"/> DEPOSIT <span style="margin-left: 150px;"><input checked="" type="checkbox"/> LEGAL DESCRIPTION</span></p> <p><input checked="" type="checkbox"/> INDEMNIFICATION AGREEMENT <span style="margin-left: 100px;"><input type="checkbox"/> ANNEXATION MAP (10 COPIES)</span></p>

Ernest Wayne Beggs  
**APPLICANT SIGNATURE**

10-7-15  
**DATE**

*Please complete the names and addresses of **additional** persons (not including the owner/applicant previously listed at the beginning of the application) who are requesting to have furnished copies of the agenda and Executive Officer's Report and/or mailed notices of the hearing of this proposal. Please attach additional pages if necessary.*

<b>PERSON 1</b>	REQUESTS:	<input type="checkbox"/> AGENDA COPIES <input type="checkbox"/> HEARING PACKAGE HARD COPY	<input type="checkbox"/> PUBLIC NOTICE OF HEARING <input type="checkbox"/> HEARING PACKAGE ON CD
NAME	COMPANY		
MAILING ADDRESS	TELEPHONE NUMBER		
CITY, STATE, ZIP	EMAIL ADDRESS		

<b>PERSON 2</b>	REQUESTS:	<input type="checkbox"/> AGENDA COPIES <input type="checkbox"/> HEARING PACKAGE HARD COPY	<input type="checkbox"/> PUBLIC NOTICE OF HEARING <input type="checkbox"/> HEARING PACKAGE ON CD
NAME Justina G. Arce, Planning Consultant	COMPANY The Holt Group		
MAILING ADDRESS 1601 N. Imperial Avenue	TELEPHONE NUMBER (760) 337-3883		
CITY, STATE, ZIP El Centro, CA 92243	EMAIL ADDRESS jarce@theholtgroup.net		



**NOTICE:**

*Prior to the effective date of any jurisdictional change (i.e. annexation, detachment, etc.) the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change shall meet to determine the amount of property tax revenues to be exchanged between and among such affected agencies. Notwithstanding any other provisions of law, no such jurisdictional change shall become effective until each county and city included in such negotiation agrees, BY RESOLUTION, to accept the negotiated exchange of property tax revenues.*

**NOTE:**

*The resolutions referred to above shall be attached to this application prior to filing with the Local Agency Formation Commission. The Executive Officer of the Local Agency Formation Commission shall not issue a Certificate of Completion (COC) until such resolution is filed with LAFCO.*

*Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signature(s) as follows:*

*Chief Petitioners (not to exceed three):*

Earnest Wayne Higgins

\_\_\_\_\_  
PRINT NAME

*Earnest Wayne Higgins*  
\_\_\_\_\_  
SIGNATURE

10-7-15

\_\_\_\_\_  
DATE

225 Wake Ave., #215, El Centro, CA 92243

\_\_\_\_\_  
RESIDENCE ADDRESS

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
RESIDENCE ADDRESS

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
RESIDENCE ADDRESS

**FOR LAFCO USE ONLY**

Paula M Graf  
**APPLICATION RECEIVED BY**

10-7-15  
**DATE RECEIVED**

**CHECK THE DOCUMENTS SUBMITTED WITH THE APPLICATION:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> DEPOSIT                   | <input checked="" type="checkbox"/> LEGAL DESCRIPTION          |
| <input checked="" type="checkbox"/> INDEMNIFICATION AGREEMENT | <input checked="" type="checkbox"/> ANNEXATION MAP (10 COPIES) |

HV 4-15  
**PROJECT NO. ASSIGNED**

10-21-15  
**DATE ACCEPTED**

**INDEMNIFICATION AGREEMENT**

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Executive Officer shall promptly notify the Commission of any claim, action or proceeding brought by an applicant challenging the Commission's action. The Commission, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The Commission shall have final determination on how to best defend the case and may defend it with in-house counsel, or by retaining outside counsel. In either case applicant shall be fully responsible for all costs incurred. Applicant may request to provide his or her own counsel to defend the case, however prior written approval of the Commission shall be obtained. Said independent counsel shall work with LAFCO counsel to provide a joint defense and shall include a complete defense of LAFCO to the satisfaction of the Commission.

EXECUTED IN El Centro CALIFORNIA ON 10 7 2015  
(CITY) (MONTH) (DAY) (YEAR)

**APPLICANT**  
 NAME (PRINT): Earnest W. Higgins  
 TITLE: Owner  
 SIGNATURE: Earnest W. Higgins  
 MAILING ADDRESS:  
PO Box 73  
Holtville, Ca 92250

**REAL PARTY IN INTEREST / PROPERTY OWNER**  
(IF DIFFERENT FROM APPLICANT)  
 NAME (PRINT): \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_

**FOR LAFCO USE ONLY**

RECEIVED BY: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_  
 PROJECT NO. \_\_\_\_\_