
COMMISSIONERS

CITY

Maria Nava-Froelich

CITY

Jason Jackson, Chair

COUNTY

Michael W. Kelley, Vice-Chair

COUNTY

Ray Castillo

PUBLIC

David H. West



EXECUTIVE OFFICER
Jurg Heuberger, AICP, CEP

LEGAL COUNSEL
Ryan D. Childers

ALTERNATES

CITY

Jim Predmore

COUNTY

Jesus E. Escobar

PUBLIC

Ed Snively

www.iclafco.com

ACTION MINUTES OF THE REGULAR LAFCO HEARING
April 23, 2020
8:30 a.m.

VOTING COMMISSIONERS PRESENT:

Jason Jackson, Chair
Michael Kelley, Vice-Chair
Ray Castillo
David H. West
Maria Nava-Froelich

ALTERNATE COMMISSIONERS PRESENT:

None

ABSENT:

None

STAFF PRESENT:

Jurg Heuberger, Executive Officer
Julie Carter, Accountant
Paula Graf, Analyst

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

1. Roll Call
2. Pledge of Allegiance
3. Approval of Consent Items:

A. Minutes from January 23, 2020

B. Project Report update

Motion by Commissioner Kelley to approve Items 3A and 3B.

ACTION: Approve Items 3A and 3B
MOTION: KELLEY
AYES: FROELICH, JACKSON, KELLEY, CASTILLO, WEST
ANO: NONE
ABSTAIN: NONE
ABSENT: NONE

4. Public Comments

No public comments.

5A. Announcements by Commissioners.

i. CALAFCO Board of Directors meeting

Commissioner Kelley stated he's been meeting with CALAFCO via telephone. CALAFCO recruitment is taking longer than expected for the CALAFCO Director position, no applications have been received. A contract for Ms. Jeni Tickler, CALAFCO Administrator will be signed sometime in July.

Mr. Heuberger stated Pamela Miller, Director of CALAFCO will be resigning and CALAFCO is recruiting for her position. She will help until there is a replacement. Staff have been working with the group on the annual conference.

Commissioner Froelich stated she attended an ICTC meeting in March. The school district is collaborating with agencies for food distribution to the community.

5B. Announcements by the Executive Officer.

- i. Financial Statements for FY 18/19
- ii. Staff Workshop

Mr. Heuberger stated the staff workshop was cancelled and rescheduled for next year. The Commission has been provided with the financial statements as requested at the last meeting. Staff are working on a variety of projects including the proposed Rancho Los Lagos Community Services District. The roof was replaced at a substantially lower cost than estimated. It was completed a week prior to the heavy rains, and it worked out perfect as there were no leaks.

6. Discussion/Action/Direction regarding the Heffernan Memorial Healthcare District (HMHD 1-15)

Commissioner Jackson asked the Commission if they received a letter that was sent by Maritza Hurtado regarding the Heffernan Board.

The Commissioners confirmed receipt of the letter.

Mr. Heuberger stated staff have been working with HMHD's District Manager Mr. Tomas Virgen. Mr. Virgen is present today. The recommendation is to accept the plan provided by the district and to include an annual update. The district shall not subsidize the City of Calexico unless approved by LAFCO. The district shall also provide financial reports and budget within 30 days. If progress is made within the next couple of years, then the recommendation would be to convert to a five-year plan update.

Commissioner Froelich stated the letter mentions programs that are no longer existent.

HMHD's District Manager Mr. Tomas Virgen stated many of the programs were put on hold or suspended due to COVID-19. Staff communicated to the programs and let them know that the

programs would end, and staff would re-visit when the restrictions are over. Working on a new RFP (Request for Proposal) transition plan grants program. The senior meal program is the only program that wasn't suspended. It's a necessary program.

Commissioner Froelich recommended Mr. Heuberger and Mr. Virgen meet to discuss addressing the letter. Is the letter based on perception or facts.

Mr. Heuberger replied he would schedule a meeting with Ms. Hurtado and Mr. Virgen.

Commissioner West stated there needs to be more research and analysis if the district is pursuing opening a clinic.

Mr. Virgen replied Mr. Heuberger has the same concern. There was a discussion about the sustainability of a clinic. There is a plan for a clinic, but it doesn't mean that special consideration won't be taken into account. Just learned the cost to build a new clinic is now \$500 per square foot, up from \$300. The district needs to look at the need to compete. A senior citizen with multiple chronic diseases shouldn't have to wait two hours in a waiting room. COVID-19 exposed how vulnerable they are to diseases. There have been discussions about bringing multiple practitioners on site, opening an urgent care. There have been talks with Pioneers Memorial and Clinicas de Salud del Pueblo, to see what can be done together. The district wants to collaborate with them, working on an existing program is better than working from scratch. It's not about competing. Looking at better partnership options.

Mr. Heuberger stated Mr. Virgen has routinely sent requests for review or for approval to LAFCO. The most recent was a request to order masks from China due to COVID-19. That was a medical need. The biggest concern is ongoing requests like the City of Calexico requesting funds for the ambulance service. The Commission has issues with the oddball requests for funding.

Commissioner Jackson asked Mr. Virgen if he received the letter from Ms. Hurtado.

Mr. Virgen replied that he did.

Commissioner Jackson stated one of the concerns in the letter was brought up by a colleague. There was a training that the HMHD board attended in Del Mar. A colleague attended on behalf of the El Centro Regional Medical Center, there were 148 participants from 16 different states. Most attendees were medical professionals. An observation was made that the HMHD board members weren't seen in attendance after registration. The problem is sending five board members at a cost of over \$1,000 per day to attend a high-end resort. It goes back to the concern of when the board attended a retreat in Torrey Pines and spent money on lobster dinners. Although the district has made steps forward, there's still that tendency to be extremely wasteful. That doesn't provide healthcare to the citizens of Calexico. The recommendation is to keep the district on probation.

Mr. Virgen replied that the conference was in Estes Park and just because one person says they didn't see board members present; doesn't mean they weren't there. The board members provide an update on meetings and events attended and it has proved beneficial.

Commissioner Jackson asked if the board member stipends for meetings has increased. At one point it was stated that it was going to be reduced. Doesn't recall seeing it at \$2,000 per month. Is it \$500 per month regardless if they don't attend meetings.

Mr. Virgen replied it's never been \$2,000 per month, that is a false statement. The board members cannot get more than \$500 per month for the meeting stipend. Board meetings are only called when necessary. The district does have Ad Hoc meetings. Some board members only attend 3 meetings per month, so they receive \$300 for the month, at \$100 per meeting attended at a maximum of \$500 per month. It's included in the bylaws and the district is abiding by it. The information is similar to obtaining information from the internet, similar to the letter being addressed, doesn't mean it's a fact it might be just a statement. There are financial records that show back-up.

Commissioner West stated it's important for HMHD to state what they do and present that to the public.

Commissioner Froelich asked if there is a timeline for the health fairs and developing the community call center that's identified on page 22. When will the healthcare directory identified on page 23 be completed.

Mr. Virgen replied the community call center will take the longest to complete. At this time the infrastructure is being built and the healthcare directory is a component of that. The directory will include programs in Calexico and programs provided by the County. The completion of the call center should occur by the end of the business plan. Most insurances managed by medical have a call center, but there are always ways to mature and grow. Calexico has more senior citizens than the rest of the county, most are unhealthy with chronic diseases. They don't want to wait for 25-minutes on an automated phone response system. The district will try to partner with the clinics and hospitals to try and use the same program. There needs to be a mechanism that allows residents to call one number and make several appointments. It's foolish to make the program only for Calexico when the County is depended on as well.

Commissioner Froelich stated page 7 of the plan talks about a new strategic plan that will be developed but it doesn't provide a timeline. Question is if the Commission has to approve a five-year plan or can a one-year plan be approved.

Mr. Virgen replied that there is a timeline for projects, but it can be clarified further especially after COVID-19. The district is looking at an urgent care center and clinic, more information will come as it evolves. A hospital isn't feasible, the next best thing is an urgent care. The valley doesn't have an urgent care. An urgent care is needed for non-life-threatening issues. The topic of an urgent care center has opened up discussions.

Mr. Heuberger stated Service Area Plans are reviewed every five years at a minimum by state mandate. Staff and HMHD were at one-point communicating on an almost daily basis, at the recommendation by the Commission. The recommendation is to approve Option #1 of the Executive Officer's report, which requires an annual update. The communication will continue with Mr. Virgen or whomever is in charge of the district. There's no issue in bringing an update back to the Commission.

Commissioner Froelich stated she is concerned that some of the information in the plan is broad and doesn't provide timelines. There needs to be more information and communication with the community to see what the needs are.

Commissioner Jackson stated regardless if a five-year plan is approved, there's still the option for an annual review. There will be reports and a review process.

Calexico resident Ms. Martiza Hurtado stated she's a Calexico resident, former City of Calexico Council Member, and concerned citizen. The letter was written because as an essential employee and with a son who owns a postal service, she's aware of who's out and about and active in the community. The concern is there isn't a hospital and understands a hospital isn't an option. The city is unique being next to the border. The strategies and teamwork that needs to be done isn't happening. Close family members are dying in Calexico. Mr. Joe Hurtado, her uncle was the first one to die in Mexicali. Being social in these times will kill you. Her two sisters and cousin are now infected and haven't gone to the hospital. Is it because Calexico doesn't have the access, those are deep questions to ask. The district needs to take action, they shouldn't go out in the month of March and spend money. She might have been misinformed about the money that's been spent, however there's no information to the contrary. Program providers are upset, people that were attending the weight loss programs approached the board to advise they can transition to an online format. The district doesn't answer the calls. Who does the public talk to and go to. Calexico has the highest amount of infections and the families are the ones to witness it. The community is quiet and complying with COVID-19 restrictions, but the seniors are the ones that are exposing themselves. The seniors don't think they can fall victim to the virus. Clinicas de Salud del Pueblo openly had issues when a new clinic in Calexico was opened that the district didn't mention. Clinicas, that is at the peak of knowledge in technology and providing meetings and information, they were denied funding. Programs have tried working with the district to adjust the programs. There's a motivation to unseat the current board at the November

election. Don't take the funding away from the city. There's a high number of Mexicali patients and there is a health crisis. The city needs the community to work together. LAFCO is considered a champion for the citizens. The district has a marketing company that doesn't disseminate information to the citizens. A better marketing company should be retained. The district made an effort with Dr. Vo and delivered 60 masks but there needs to be a lot more organization. Calexico Wellness put together packets that included masks, wipes, and information packets. There's a lot of money and it's the taxpayer's money, they should have a say in how it's spent. For some reason there is some communications skill that is lacking, there have been cancellations of meetings or abrupt cancellations of meetings with no phone call. The programs that were in place didn't receive an advance notice that they were being cancelled or suspended. The district is closing their doors on the relationships. Was criticized in the newspaper by a city council woman that stated the cities hands are tied and it's true but there is still spending a renewed contract for marketing might not be appropriate at this time. The expenditures and structure need to be reviewed. There is faith that with the community's help, the district can be helped in fulfilling its purpose to fund the programs in Calexico.

Commissioner Jackson stated there will be a meeting with Mr. Heuberger and Mr. Virgen to discuss the items addressed in the letter.

Mr. Heuberger recommended that Ms. Hurtado attend the meeting as well. Will schedule a meeting with both Mr. Virgen and Ms. Hurtado.

Motion by Commissioner West approving Option #1 of the Executive Officer's Report.

ACTION: Approve Option #1 of the Executive Officer's report.
MOTION: WEST
AYES: FROELICH, JACKSON, KELLEY, CASTILLO, WEST
ANO: NONE
ABSTAIN: NONE
ABSENT: NONE

7. Discussion/Action/Adoption of the Draft LAFCO Budget for FY 2020-2021

Mr. Heuberger stated the budget was scheduled to be discussed at the last meeting, but that meeting was cancelled. The budget was sent to the member agencies and had adequate notification. A couple of responses were received stating there are no objections. The proposed budget is almost identical to last years, with no contribution increases from the agencies. There is money saved from last years budget that should go towards the carryover, including the amount left over from the roof expense. That expense was substantially lower than what was budgeted. The recommendation is to keep the current budget as presented. It's technically in draft form but since it was shared with the member agencies it can be presented as final rather than meeting again in May. A final has to be adopted by June.

Commissioner Jackson asked if there's an anticipation to have items ready for a May meeting.

Mr. Heuberger replied that no projects are ready for hearing at this time. Staff are working closely with the Imperial Irrigation District on their Service Area Plan, might be ready by August or September. Staff are working on the Rancho Los Lagos Community Services District formation, might be ready by the end of the year. Working on the South Dogwood annexation in El Centro. There's a possibility that there will be an application to re-activate the annexation by Horne Rd. in El Centro.

Motion by Commissioner Froelich and adopting the budget as the FINAL BUDGET FOR FY 2020-2021.

ACTION: Adopt the Budget as the Final Budget for Fiscal Year 2020-2021
MOTION: FROELICH
AYES: FROELICH, JACKSON, KELLEY, CASTILLO, WEST
ANO: NONE
ABSTAIN: NONE
ABSENT: NONE

8. Discussion/Action/Direction regarding proposed Assembly Bill 2629

Mr. Heuberger stated Assembly Bill 2629 is a bill introduced by Assembly Member Chad Mayes. The bill called for a study to be done on the Imperial Irrigation District between Riverside LAFCO, Imperial LAFCO, and the California Energy Commission (CEC). The bill was vague in its intent for purpose. There have been several conversations with the Riverside LAFCO Executive Officer Mr. Gary Thompson and subsequently with IID staff. Conversations took place between Mr. Heuberger, Mr. Thompson, and Mr. John Nobel from Mr. Mayes office. Mr. Nobel was advised of the concerns and asked what the intent of the bill is. The response received was the bill didn't print how it was written so it is currently being amended. Staff are waiting for receipt of the amended bill. Mr. Nobel was advised of the current SAP/MSR/SOI study in the works. The study requested in the bill could be fairly expensive. Mr. Nobel stated the CEC would request funding. A budget was asked to be put together for this study, however it's hard to put a budget together for something that doesn't have criteria. Mr. Nobel was asked if this bill is intended to bring back the prior Assembly Bill 854 that called for additional directors from the Coachella Valley. It was stated the intent is to see where the IID is providing services and where they should be. An updated version of the bill should be available shortly.

IID Govt. Affairs and Communications Officer Mr. Antonio Ortega stated last year, there was a bill offered by Assembly Member Chad Mayes. AB 2629 takes a slightly different approach with the same core issue that he continues to want to address which is IID's future in the Coachella Valley and its board of directors. This bill is going about it a slightly different way but with the same issues. The IID, Board of Supervisors, San Diego County Water Authority, CA Special Districts Association, SCAPA, have all opposed the bill. Last year IID staff met with Mr. Mayes after the first bill was held in committee. There was an open dialogue with him and his office and IID staff met with the affected cities within Coachella Valley. The City of Indio has hired a consultant to look at the agreement with the Coachella Valley Water District that expires in 2033. Mr. Mayes decided to pursue this state led effort as advised from his office yesterday. The bill is being amended; the same issue is telling the community not to worry that the concerns will be addressed then it not being addressed in the bill. The bill hasn't been referred to a policy committee and with the COVID-19 it puts the legislative calendar on hold. It's expected that Mr. Mayes will continue to make this one of his priorities. If the bill is heard, then IID wants to make sure there are letters of concern in opposition. Formally request LAFCO to oppose this bill. Mr. Heuberger has been excellent at providing feedback. The bill attempts to add new jurisdiction to the CEC and the Riverside LAFCO on an issue that is understood to rest solely within Imperial LAFCO. This bill circumvents what should be a local government issue. Been talking with the City of Coachella and most of the cities feel the same way about the bill but not all of them. There's a continued dialogue with the cities.

Commissioner Froelich asked if it would help for each city to pass a resolution opposing the bill.

Mr. Ortega stated IID will reach out the to agencies for support. Waiting to find out if the policy committee will be having a hearing.

Mr. Heuberger stated the request is to oppose the bill as currently in print, recognizing there may be amendments at which time a revision in position may be needed.

Motion by Commissioner Kelley opposing Assembly Bill 2629 as currently in print.

ACTION: Oppose Assembly Bill 2629
MOTION: KELLEY
AYES: FROELICH, JACKSON, KELLEY, CASTILLO, WEST
ANO: NONE
ABSTAIN: NONE
ABSENT: NONE

Jason Jackson, Chair

Jurg Heuberger, Executive Officer