
COMMISSIONERS

CITY

Vacant

CITY

Jason Jackson

COUNTY

Michael Kelley, Chairman

COUNTY

Raymond "Ray" Castillo

PUBLIC

David H. West,
Vice-Chairman

Imperial



EXECUTIVE OFFICER

Jurg Heuberger, AICP, CEP

LEGAL COUNSEL

Ryan D. Childers

ALTERNATES

CITY

Maria Nava-Froelich

COUNTY

Jesus "Jack" Terrazas

PUBLIC

Ralph Menvielle

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ACTION MINUTES OF THE REGULAR LAFCO HEARING

January 28, 2016

8:30 a.m.

El Centro City Council Chambers

1275 Main Street, El Centro, CA

VOTING COMMISSIONERS PRESENT:

Michael Kelley, Chairman
David West, Vice Chairman
Jason Jackson
Raymond Castillo
Maria Nava-Froelich
Jack Terrazas

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

Ralph Menvielle

ABSENT:

None

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. Election of Officers for 2016

Commissioner West nominated Commissioner Kelley for Chairman and passed by the roll call vote of Jackson, Kelley, Terrazas, West, and Froelich.

Commissioner Kelley nominated Commissioner West for Vice-Chairman and passed by the roll call vote of Jackson, Kelley, Terrazas, West, and Froelich.

4. Approval of Minutes from October 8, 2015

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

5. Approval of Consent Items:

A. Project Report Update

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

B. Financial Statements for FYE June 30, 2014

Motion made by Commissioner Jackson and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich to approve the financial statements as presented.

6. Public Comments: *None*

ANNOUNCEMENTS

7. A. Announcements by the Commissioners.

Commissioner Froelich announced the City Select Committee meeting for the LAFCO Election of officers tonight.

Commissioner Castillo apologized for arriving late. Commissioner Castillo attended meetings all day Tuesday and Wednesday in Washington D.C.

Commissioner West attended the annual CCL (Coalition of California LAFCO's) meeting. The coalition was made up several years ago by the six southern districts. The coalition decided that they would no longer be called the Coalition of California LAFCO's; the new name will be The Southern Region of California Association of LAFCO's. The website and the name will be dropped. The CCL meets four times a year. The rest of the state is beginning to use the model of the southern region. To give an example, when the CCL meets the CCL wants to have Imperial County representation at the State level. When attending the annual meeting, it had been decided that Commissioner Kelley would be the representative. Some other areas would spend all morning voting, and it can become contentious. The southern region is becoming a model, to make things work at an amicable decision. CALAFCO Executive Director Pamela Miller announced a state of the union message, and Commissioner Kelley received commendation. Imperial County has to sometimes fight for any kind of recognition at both the state and federal level. Imperial County is large geographically but small in population. The fact that Commissioner Kelley is recognized is important for Imperial County and shows the Imperial County has the expertise to help at the state level.

Commissioner Jackson stated he has served as the LAFCO Chairman for the past year and thanked the Commissioners, Executive Officer, Legal Counsel, and Staff. Commissioner Jackson stated the LAFCO is an important body to the County of Imperial and he appreciates the

opportunity to serve as Chairman and looks forward to the upcoming year with Commissioner Kelley serving as Chairman.

Commissioner Kelley stated it's an honor to be Chairman to the LAFCO board. Commissioner Kelley has served as the Chairman previously. Commissioner Kelley stated the hearings have always run smoothly, and everyone has a dynamic professional purpose of getting the job done for the County of Imperial. Commissioner Kelley will attend the CALAFCO Board of Directors meeting on Friday, February 5th in Irvine, CA.

B. Announcements by the Executive Officer.

Mr. Heuberger stated the Commission was provided a Supplemental Agenda and LAFCO are requesting to add this item to the agenda.

Legal Counsel Mr. Ryan Childers stated the Commission needs to make a determination that this item was brought to the attention of the Commission after the regular agenda had been posted and make a finding that action is required before LAFCO could post for the next hearing. That requires a motion and a 2/3 vote in order to add the item to the agenda and then the Commission can act on the item. The proper term is a necessity item not an emergency item.

Motion by Commissioner Jackson and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich to add a necessity item to the agenda.

ACTION/DIRECTION ITEMS

8. Discussion/Direction regarding Childers's and Associates contract extension

Mr. Heuberger stated Mr. Ryan Childers was hired under contract to provide legal services to the LAFCO. That contract is now expired. The terms, conditions, and rates have been provided to the Commission. The LAFCO is requesting an approval to extend the contract and approve the rates.

Motion by Commissioner Jackson and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich to approve the extension of contract and the updated rates.

9. Discussion/Direction regarding opening up limited term position

Mr. Heuberger is requesting authorization to add a limited term position. The LAFCO has had extra help to cover the current clerk and is limited to the amount of time that LAFCO can have extra help. The limited term position and the budget adjustment are for the remainder of the fiscal year.

Motion by Jackson and passed by roll call vote of Jackson, Kelley, Castillo, West, and Froelich to approve the budget adjustment and limited term position.

16. Necessity item for Discussion/Action/Direction regarding 1122 State Street Building modifications to accommodate leasing additional space to current tenant

Mr. Heuberger stated during the last budget cycle the Commission approved a project to bring the LAFCO in compliance with the American's with Disabilities Act by adding an additional men's restroom and renovating the women's restroom. The project is 99% completed and is currently pending the installation of partitions. The contract will be completed shortly and came in substantially under budget than what was originally anticipated. The Federal Defenders tenant that occupied a space had vacated several months back. Armorcrest Insurance Group is a current tenant and approached LAFCO with a need for additional space. LAFCO has a space that is available, but in order to access the space you would have to go out one space and enter through another door. The vacant space is contiguous to the Armorcrest Insurance space. LAFCO would like to open up the vacant space by adding a 6 foot long hallway and a door. Armorcrest Insurance has agreed to rent the space, making LAFCO fully occupied. It gives LAFCO the flexibility in the future to go back to separating the spaces if needed. The current tenant isn't interested in two separate spaces but is interested in the two spaces if they can be opened up.

Commissioner Jackson asked what the estimated cost would be.

Mr. Heuberger replied the estimated cost would be \$6,000.00

Commissioner Jackson asked what the rental revenue would be.

LAFCO Accountant Julie Carter replied the additional rental income would be \$1,225 per month and total rental income per month for both spaces would be \$3,250.00

Motion by Commissioner Jackson to approve the budget adjustment and building modifications and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich.

PUBLIC HEARING ITEMS

10. [8:35] Public hearing to consider the approval for the annexation/de-annexation of Bornt/Osborne (HV 3-15)

This item was pulled from the agenda.

11. [8:45] Public hearing to consider the approval for the annexation of Higgins (HV 4-15).

Mr. Heuberger summarized the project and the Executive Officers report. The project is an annexation into the City of Holtville. The annexation is to develop a residential unit on the property and receive city services.

Mr. Heuberger stated public notice was provided as required by law and to date LAFCO has not received any public comments either in support or opposition. Neither the Executive Officer nor the Commissioners have a conflict of interest with this project.

Mr. Heuberger recommended the approval of Option #1 of the Executive Officer's Report to the Commission.

Commissioner Kelley addressed the public, asking if the public had any comments or questions. No public comments were made.

Commissioner Castillo stated he would like to move for approval, the applicant has met all of the conditions.

Motion by Castillo and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich.

12. [8:55] Public hearing to consider the approval of the Palo Verde Waste Water Treatment Plant (PVC 1-14)

Mr. Heuberger stated the project is in Palo Verde which is right on the border of Riverside County on the Eastern part of Imperial County. The project is adding a service to an existing district. The service is to provide a public sewer system. Mr. Heuberger acknowledged the various agencies that have assisted with this project.

The community currently has septic tanks as the sole provider of sewer service. Over the years there has been concern of the potential contamination into the Colorado River.

The various agencies have all stepped up and worked to try and figure out a way to solve the problem by helping the community develop the infrastructure and system.

Under Cortese-Knox-Hertzberg law no district can provide a service that hasn't been approved by this body and LAFCO. Palo Verde has had the ability to provide potable water as their original mission and is now seeking the approval of the ability to provide sewer services.

Mr. Heuberger and the County of Imperial discussed some time ago hiring a financial consultant. Mr. Chris Wesley was hired as the consultant. Mr. Wesley prepared a lot of the financial work for the project and is present today to answer any questions. Mr. Heuberger stated as you can see from the report, there is an obvious need for this system and there are some concerns that the agencies have if the project weren't approved and what the long term potential impacts would be and also the issue of if the community could afford the project.

Mr. Heuberger stated if the Commission decides to approve the project at the end of the public hearing, then the additional process will be explained. Essentially if the Commission approves, the district would be a district that would provide both water and sewer services.

Mr. Heuberger stated there are two notices received by two Palo Verde residents that were provided to the Commission as of this morning. One is in support of the project and one in opposition.

Commissioner Kelley acknowledged the two letters received for the record, one from Patty Yates and one from Tom and Patsy Calvert.

Commissioner Froelich asked if the two comment letters could be read to the public.

Mr. Heuberger read the two comment letters for the record.

Palo Verde Water District Chairman Mr. Ron Woods expressed his appreciation for all of the various agencies who have assisted with this project. One topic that wasn't mentioned is a new law which is AB885 and is part of the issue with the sewer. There are two places in Palo Verde

which fall out of the 600 feet boundary. One which is the Palo Verde office and the other is a home behind a retail store. Any place within 600 feet according to this law cannot have a conventional septic system. It has to have either a sewer system in place or an above ground septic system. Without the sewer system, all locations with the exception of these two locations would be illegal.

Commissioner Kelley asked if there was a date when some locations would be grandfathered in.

Mr. Woods replied that the district was advised by several agencies that because of the Clear Water Act, there would be no grandfathered date. At the present time, anyone who has a septic system and has a problem can only pump the sewer but cannot repair it. The State of California will not allow it because of the 600 feet boundary.

Commissioner Kelley asked who would bear the cost of digging the lines and connecting the residents to the sewer system.

IC Community & Economic Development Manager Esperanza Colio responded that BECC, one of the funding sources which have set aside funds for the environmental documents and the preliminary engineering is present and can provide additional information. EPA is also involved in the project. The County of Imperial has worked with USDA, EPA, and BECC to identify potential funding to build the waste water treatment plant.

IC Public Health Department Mr. Lars Seifert stated to provide a couple more details; the State Water Quality Control Board in Sacramento passed a state policy related to septic systems that went into effect in May of 2013. Since then the IC Public Health Department has been working with direction from the board of supervisors to develop a local agency management program which will be coming back to the board of supervisors within 6 months. The IC Public Health Department presented to the Regional Water Board this past week on the updated progress. Once the policy took effect in 2013, any new or replacement septic systems within 600 feet of an impaired water body would have to meet the treatment requirements which would impact the community of Palo Verde, whom are within the 600 feet boundary.

Commissioner Kelley asked if this policy applies to existing septic tanks.

Mr. Seifert replied that existing septic systems are not part of that requirement at this time, however if the Regional Board develops a TMDL plan that assigns load allocations, which they may at some time come in and say existing septic systems are a problem and may require upgrades.

Commissioner Kelley asked if the only option to a homeowner is to tie into the treatment plant.

Mr. Seifert replied not at this time, it's in a period of transition. Right now any new or replacement septic systems would have to go through the Regional Board for permitting and meet the advanced protection standards. If a sewer system is in place, then county policy and ordinance and also state plumbing code requirements would require connection upon any failure of a septic system. Residents can get a stay on Regional Board action if they commit to a legally binding contract by of May 2017 to connect to a sewer system by May 2021.

Commissioner Kelley asked how this would affect the sale of property.

Mr. Seifert replied that the sale of property would not be impacted. Any property owner committed to connecting to the sewer to avoid pending requirements would transfer along with the sale of the property.

Commissioner Castillo asked if the Alamo River would also be included as an impaired water body.

Mr. Seifert replied yes, the Alamo River is also identified under the Clean Water act as an impaired water body for pathogens as well as the Palo Verde outfall drains which empties into the Colorado River down by the Walters camp area. The local agency management program that IC Public Health has developed and drafted is available to download and is available on the IC Public Health website. There is a proposal to reduce the set back from 600 to 200 ft. The IC Public Health Department has been working with the Regional Board. The Public Health Department feels that the soils and geology surrounding the Alamo River are different in such that if the septic systems are set back at least 200 feet it would provide adequate or equally protected treatment of sewage affluent rather than requiring advanced treatment. The Public Health Department is working with Regional Board and will need them to approve the proposal that will be presented to them. The Public Health Department is in an informal back and forth process with them.

Commissioner Castillo stated in regards to the 600 feet requirement there are many homes in the Holtville area that are within that 600 feet range that would be impacted and if it could get reduced to 200 feet that would help.

Mr. Seifert responded reducing the 600 feet to 200 feet is the proposal and will be presented to the Imperial County Board of Supervisors before it's submitted to the Regional Board. The 600 feet in Palo Verde is the set mark. The Regional Board hasn't been willing to negotiate that mark. There are different conditions relating to parcel sizes, rapidly draining sandy soils. The septic systems next to the lagoon are very difficult to state that the footage setback would provide equally protective standards.

Commissioner West asked if the Clear Water act affects what the County of Imperial is working on.

Mr. Seifert replied in regards to the Clean Water Act, The Regional Water Board has designated certain water bodies as being impaired. That information goes into the federal register under the Clean Water Act. The Regional Water Board could go back at some point in time and revisit the designation, however, there hasn't been the funding and the desire to go back and do additional work.

Commissioner Jackson asked where the mandate is as far as a timeline as to when the residents of Palo Verde would have to connect to the sewer line and what the cost would be and who would bear the cost of that connection.

Mr. Seifert replied that the mandate is for any new or replacement sewer systems as of 2013. Each property would require a waste water treatment system. Having a community waste water treatment system would give the homeowners the option to connect. The next pending deadline is May 2017, at that time property owners would have to connect to a future sewer system or they would be subject to the individual waste water treatment system requirement. The final deadline for the required connections is in 2021.

Commissioner Castillo asked what the cost would be for a mini waste water treatment system if a homeowner opted not to connect to the waste water connection.

Mr. Ron Woods replied that an estimate for an individual waste water treatment system would be around \$30,000.

Mr. Seifert replied that the requirements for a private waste water treatment system would have to include disinfection monitoring, and period sampling by a qualified professional. There would be a lot of ongoing cost.

Commissioner Jackson asked how much the connections fees will be and who would bear the cost.

Esperanza Colio replied that the County has experience in regards to funding; an example is Poe Colonia in which the County was able to secure funding for the eligible residents who were low income and couldn't afford to connect to the sewer system. USDA at that time covered those expenses.

Commissioner Jackson asked how many residents of Cady Poe Colonia were eligible for funding. The total residents in Palo Verde are 221.

Esperanza Colio replied there were 24 residents at Poe Colonia. The County of Imperial has identified several funding sources and has had conversations with the state. Under the funding program, the connection expenses would be covered for eligible residents.

Commissioner Kelley asked what the monthly fee would be and if that would generate enough revenue to maintain the treatment facility and asked what the current monthly water rate is.

Esperanza Colio replied the rough estimate for sewer is \$63 a month per resident.

Mr. Woods replied that the Palo Verde District will be saving money by having the sewer billing processed by the water department. The monthly rate for the water is \$75 per month.

Commissioner Jackson asked how long ago the monthly \$63 sewer estimate was.

Esperanza Colio replied the estimate was roughly 18 months ago. The County hasn't completed the final rate study, and would need to review the number of residents that would be connecting.

Commissioner Jackson asked if the price would fluctuate depending on the amount of residents connecting. If Palo Verde has 221 lots, and if only 50 connect right away, would those 50 bear the cost of the entire system and what would be the total monthly cost to operate the system. Commissioner Jackson asked if it would be fair to say the monthly cost to operate the system would be calculated by taking 221 lots multiplied by the \$63 monthly fee.

Mr. Wesley replied to several cost related questions. Mr. Wesley stated the operation and maintenance cost was estimated back in August 2012. The monthly residential estimate of \$64.95 per connection is based on 133 connections. The commercial monthly rate is \$120. The total annual operation and maintenance cost \$103,000.

Mr. Woods stated there is another factor that hasn't been taken into account. A tornado hit back Palo Verde back in 2007 and about 35 connections was lost. Those connections cannot

reconnect until the sewer system is in place. There are people waiting in line for the sewer project to be approved.

Palo Verde County Water District Vice President Mr. Dave McLaughlin stated some of the commercial properties would be paying a higher monthly fee. Some properties cannot come on board until the sewer system is in place.

Commissioner Kelley asked how many commercial properties would come on board once the project is completed.

Mr. McLaughlin replied there are two businesses at this time. There are three other commercial properties that are down.

USDA Mr. Daniel Cardona, stated the community of Palo Verde is a designated Colonia which is eligible for 100 percent funding from the USDA program. USDA has been supporting Palo Verde with technical assistance as well as supporting BECC with project development. Mr. Cardona stated USDA cannot accept a funding application until Palo Verde has the approval to provide sewer services.

Mr. Heuberger stated that BECC and NADBank stepped up to do the technical studies to determine if the project was viable and to see if there was potential funding. All that has been done at this point has been the technical analysis to determine if this community can build a plant and if they did is it financially feasible. The community itself cannot afford to build a plant. One of the questions was can they continue to operate financially and would they have the funding for the annual operating cost.

Mr. Cardona stated in order for Palo Verde to be eligible for USDA funding, Palo Verde will need the authority, and which is the purpose here today. Mr. Cardona is encouraging the approval. In regards to the other question regarding abandoning septic tanks, under the Poe Colonia program and unusual circumstances, which this project falls under, that is an eligible use of funds.

Commissioner Jackson asked what the process would be for the septic tank abandonment and who would cover those costs when the treatment plant is built.

Mr. Cardona replied the cost is covered in one of the engineering studies, and septic tanks would be abandoned in place and USDA would cover the costs for those eligible.

Mr. Heuberger stated a concern with this project and projects in the past has been the cost of connecting and the cost of abandoning. USDA is capable of providing financial help to those eligible.

Esperanza Colio stated that BECC set aside \$400,000 to prepare the preliminary engineering report and environmental documents. BECC is looking into the possibility of continuing the funding.

Commissioner Castillo thanked all of those involved in the process of this project. Commissioner Castillo stated it has been an ongoing and long process. Mr. Castillo commended all those involved for their hard work.

Motion by Commissioner Castillo and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich.

Mr. Heuberger stated the Palo Verde County Water District will need to provide a resolution that's stated in the conditions prior to recording.

13. [9:05] Public hearing to consider the dissolution of the Niland Fire District (NFD 1-14).

Mr. Heuberger stated the project is the dissolution of the Niland Fire District. In 2013 the NFD Board of Directors requested the NFD be dissolved via a resolution. In the package provided are the background, progress, and procedure. In part, the analyses performed were to determine what the outstanding assets and liabilities were and what alternatives existed for fire protection.

The Commission has several options as follows:

One option is not to dissolve the district. The 2nd option is to dissolve the district and to form what's called a successor district also known as a county service area. The third option is to dissolve the district and let the County take over.

Mr. Heuberger stated before that could happen the Commission had to evaluate those options. It was imperative that the County Board of Supervisors weighed in on those alternatives. The County under the 3rd option inherits the responsibilities under fire protection without a district. Under the 2nd option the County could have been the successor by the formation of a county service area as an example. Back in late 2015 the Board of Supervisors had a hearing regarding the NFD and at that time the Board voted not to be a successor entity or a successor district and the Board did not wish to continue with the special assessment. With that, today's decisions by this commission are

1. To do nothing, continue with the NFD as is.
2. Dissolve and form a new district like a county service area which the county itself is not in favor
3. Dissolve the district and allow the county to maintain the services.

Mr. Heuberger stated that for the record the IC Fire Department Chief Rouhotas is present along with staff. The IC Fire Department has been providing fire services within Niland for several years under a contract. One of the outcomes of that is the district is now even further in debt then they were before because of the costs associated with providing that service. At this point unless there is substantial evidence to the contrary Mr. Heuberger's recommendation to the Commission is to have the public hearing and consider all the input, dissolve the NFD as a special district and not form any successor district or entity. In other words the County would take over.

Commissioner Kelley stated it's a pleasure to see the IC Fire Chief and staff.

NFD Secretary Mr. Augustine Sadorra spoke in favor of the NFD dissolution. One of the reasons is that the emergency and medical services will continue to be provided. The IC Fire Department has been providing fire services since 2012. The second reason that will help the residents is with the Board of Supervisors recommendation to not impose additional assessments; it will reduce the tax burden. The Niland residents are the only ones in the Imperial County that pay the special assessment. As stated before the NFD is estimated at 1 million dollars in arrears to the County. NFD's revenues do not meet the expenses. Mr. Sadorra requested the dissolution date to be revised to February 26, 2016 due to the districts insurance expiring on February 27, 2016. Niland currently has a proposal to provide additional support for the north area of Bombay beach, The Fountain of Youth, and the spa area with additional help from volunteers. It would be up to the Bombay Beach Community Service District to make that decision, of how they will support that extra help. Mr. Sadorra thanked the commission.

Commissioner Kelley stated there was a public meeting held in Niland several months backs to discuss this process in detail. All of the information was discussed at that meeting.

Commissioner Kelley asked IC Fire Chief Rouhotas if the IC Fire Department is ready, willing, and able to continue providing services to the NFD.

Chief Rouhotas replied yes, the County has been providing the services for four years and it has been continuous.

Commissioner Kelley stated there isn't enough funding that comes from the NFD to support the IC Fire Department on a financial basis and the burden will fall on the taxpayers as a whole. Commissioner Kelley asked if the IC Fire Department is currently in the Niland area at the station and how many staff are there.

Chief Rouhotas stated the IC Fire Department is currently stationed in Niland and the staffing model is different than other stations. When the staffing levels were originally created, the IC Fire Department was trying to help the NFD solve their original staffing problem. NFD wanted to keep this model when the IC Fire Department came on board, and at that time the NFD thought they could afford the \$377,000 which was a portion of the salaries agreed upon to pay within the contract. Since then it's been a struggle for the NFD to pay, which has created the deficit. These are deficits that the County would be taking on.

Commissioner Kelley asked if the NFD debt to the county would be forgiven.

Chief Rouhotas responded that it would be up to the Board of Supervisors to determine.

Commissioner Castillo commended the Imperial County Fire Chief and staff. When the Niland Fire District was on the verge of shutting down, the Imperial County Fire Department stepped up and has done an excellent job.

Chief Rouhotas stated he has developed a relationship with the community and has stressed that the IC Fire Department become part of the community. The IC Fire Department has created a great partnership with Niland and it has made the transition easier over time.

Commissioner Jackson asked if there are any assets from NFD that would be absorbed by the county.

Chief Rouhotas responded that is one of the questions that will need to be discussed with council. Chief Rouhotas and Mr. Sadorra have had that discussion. One of the NFD assets is the fire station. The property is owned by the NFD. The County recently had a housing modular unit installed and the day quarters for staff and agreements are in place between the NFD and the County because the County owns the modular but not the building or land it sits on. There are a couple of vehicles that were paid for by the County through grants. The County and the NFD need to discuss the details on the transition.

Mr. Heuberger stated under the statute all NFD assets become the property of the county. The NFD and the County would have to work on the transition of obtaining the physical title. All assets would be dissolved including cash and/or real property and would become property of the county.

Commissioner Froelich commended Fire Chief Tony Rouhotas and the IC Fire Department for the wonderful job in Niland. Commissioner Froelich also commended the Niland Fire Board and the members along with Mr. Sadorra for the services provided to the community.

Mr. Heuberger stated for clarification the Executive Officers report has a dissolution date of February 1st.

Mr. Sadorra stated the insurance is paid up until the 27th. This would give NFD the ability to get the workman's compensation insurance for the volunteers that will be coming into the Bombay beach area to help support the north end. The volunteers will be first responders and it will take about a week to get the insurance once the Bombay Beach Board either approves or denies that request.

Commissioner Jackson asked IC Fire Chief Rouhotas if there were any issues with revising the dissolving date.

Chief Rouhotas responded there is no issue with the change of date.

Commissioner West asked if this also assumes that the Commission is dissolving the special assessment.

Mr. Heuberger replied the assessment goes away with the district going away. The County has to take action for the assessment to go away.

Motion by Jackson to approve the dissolution with an effective date of February 26, 2016 and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich.

14. [9:15] Public hearing update on Heffernan Memorial Healthcare District (HMHD 1-15).

Mr. Heuberger stated back in October the Commission directed the HMHD to create a business plan and provided the HMHD six months to prepare and present the business plan to the Commission. Mr. Heuberger and Mr. Rivera have met several times since then and as of the date of the Executive Officer's report; no business plan had been received. That business plan was subsequently submitted and provided to the Commission.

Mr. Rivera stated in the audience is the HMHD Board of Directors, PMHD President Mr. Jeffery Klicka, PMHD CEO Mr. Larry Lewis, ECRMC CEO Mr. Tomas Virgen, and ECRMC Director of Development Cathy Kennerson.

Mr. River stated since the last meeting, HMHD has finalized agreements with ECRMC on Dec 28, 2015. Last Monday HMHD finalized an MOU with PMHD. The MOU envisions a 30-45 day period where HMHD and PMHD will put together a list of programs and services that PMHD and HMHD will provide to the Calexico residents. PMHD CEO Mr. Lewis and ECRMC CEO Mr. Virgen can address the board in regards to some of the programs that are going to be provided by both districts in conjunction with HMHD. HMHD is excited, and have purchased a medical complex at 400 Mary Avenue in Calexico and ECRMC is going to occupy that space. HMHD signed an agreement with Dr. Tristan in January, Dr. Tristen will be commencing a childhood obesity program and Commissioner Kelley had requested some additional information concerning that. Dr. Tristan will have classes, educational and medical analysis, physical activity from Monday through Saturday from about 1-6 during the weekdays and on Saturday nutritional classes throughout the entire day. There will be toddlers, children in between, and young adolescents.

HMHD feels that program will be very helpful and successful in addressing a very specific need in the community of Calexico of childhood obesity and all of the medical problems that result from that medical condition. HMHD would like to answer any questions. HMHD was delayed in providing information and wanted to have signed agreements with ECRMC, PMHD, and Dr. Tristen before providing the business plan to the Commission. HMHD has signed agreements and have made financial commitments to ECRMC and Dr. Tristen. The programs are for three years and HMHD is happy to have the enthusiasm and the professionalism of PMHD, ECRMC, and Dr. Tristan working with Heffernan to provide these services. HMHD is just getting started so spreadsheets aren't available but can be provided. From the information that the Commission has before them, HMHD have commitments to ECRMC in excess of \$750,000 for three years, \$106,000 commitment to Dr. Tristan per year and are in the process of meeting with PMHD for the project list and project commitments.

Commissioner Kelley stated he is thoroughly pleased with the progress that HMHD has done within the last several months. HMHD has stepped up to the plate and involved the community and the other health districts have stepped up to the plate to provide the services that are needed for the community of Calexico. Back when the Commission discussed the potential of dissolving, there were critical issues that needed to be discussed, and since then HMHD has shown an outstanding reflection of coming together with the community of Calexico. Commissioner Kelley is thoroughly impressed, and would like to see the spreadsheets, with the direction of what has taken and what will take place. Commissioner Kelley commended HMHD for standing up for the benefit of the community.

Commissioner West requested HMHD to come back within 90 days to provide an update. Commissioner West would like to see more detail in regards to the services that will be provided and the money being spent. Commissioner West stated it must be difficult for the HMHD Board because HMHD represents the people, and to have someone else stick their nose in your business can be difficult, but the government mandates that LAFCO reviews in order for due diligence.

Commissioner Kelley asked Mr. Rivera if 90 days would be a good amount of time to have the documentation and updated business plan.

Mr. Rivera replied that HMHD is aware that more information will be needed to provide to the Commission. HMHD wanted to present to the Commission the actual signed commitments and agreements. ECRMC and Dr. Tristan have the information provided to us and HMHD can provide that to the Commission. HMHD is starting to work with PMHD and PMHD has a wonderful staff and HMHD will be able to provide an updated business plan to the Commission within 90 days without any problem. HMHD is happy to appear before the Commission today and in 90 days just as HMHD has in the past. HMHD is thankful for ECRMC and PMHD and ECRMC who have been serving the Calexico residents for a substantial amount of time. With the cooperation of everyone including the Commission, the only winners here are the community, the residents, and the healthcare of Calexico. HMHD thanks the Commission for the concern for Calexico residents and their healthcare.

Mr. Kelley asked if the administration from PMHD or ECRMC would like to address the commission.

ECRMC CEO Mr. Tomas Virgen stated he will explain the collaboration between ECRMC and HMHD. ECRMC has been busy since the last meeting working on a healthcare plan for Calexico. It's been exciting and as of February ECRMC is extending the Calexico clinic hours through midnight. The clinic is planning to stay open until 1:00am but the posted hours will be 12 midnight.

for primary care. One of the biggest disparities of the healthcare is accessing the care. How do we extend our hours for primary care and why aren't residents seeking healthcare. The clinic has a 40% no show rate. Doing an assessment one of the issues was transportation, and another was medication. Some can't afford the medication or do not have transportation to get to the pharmacy. ECRMC came up with a solution, which is a call center. The call center will start at the clinic and move to a site downtown as needed; right now it's a network issue. ECRMC is trying to find a way to avoid all of the obstacles for those that need to see the doctor because ECRMC and HMHD doesn't want them to end up in the emergency room. That is one of the things ECRMC and HMHD are doing. ECRMC is looking for a geriatrician. Calexico has the biggest population in Imperial County. ECRMC has two individuals interested and will be interviewing in the new few months and hopefully by phase II of our two phase project, ECRMC will start a gerontology program. The diabetes center will be operation on February 1. The asthma program will be at the 400 Mary Avenue site in Calexico. It's something ECRMC had in mind but not until many years to come but right now ECRMC is here and it's a good opportunity to collaborate with HMHD.

PMHD CEO Mr. Larry Lewis stated PMHD have enjoyed the relationship with HMHD and have been working since August in developing additional resources. PMHD has dedicated additional leadership to help bring the process along and have been working at the request of HMHD to develop an enhanced transportation coordination process. PMHD has hired a person and have a business plan and have presented to HMHD. Phase I has already been started. Phase II will commence after PMHD and HMHD develops data of where resources are needed, the clinic needs and the medical needs. The MOU was signed on Monday, part of that is PMHD's commitment to work with HMHD on a regular basis. There is a committee which is made up of two members of the HMHD Board, two members of the PMHD Board, Mr. Lewis and Mr. Rivera as a group to make decisions and set those targets.

Commissioner Kelley thanked PMHD and stated HMHD has come a long way and that's the community coming together to make progress for the residents.

Commissioner West asked if the HMHD, PMHD, and ECRMC are working together to avoid duplicate services or competing in services.

Mr. Lewis replied that this topic was discussed with HMHD board last month. HMHD can help PMHD distinguish one from the other and not duplicate services.

Mr. John Renison stated HMHD has done a great job in bringing this plan together. HMHD was under the pressure and have proven that by working together to provide healthcare to the residents of Calexico. It would be a tragic situation if HMHD were not to be able to continue. Mr. Renison is in favor and would like the Commission to approve HMHD to move forward.

HMHD Chairperson Norma Apodaca thanked the Commission for the consideration and opportunity to continue working with the Calexico community.

Commissioner Jackson stated he is pleased to see the business plan put together, pleased to see ECRMC, PMHD, and Dr. Tristan partner with HMHD. Commissioner Jackson stated the board members are all great people and individuals that care about their community. Commissioner Jackson agrees with Commissioner West and would like to see an update within 90 days and maybe a continuation for the next 12 months; every 90 days to ensure everything is on track. ECRMC and PHMD are two great partners that will provide great medical services to the citizens of Calexico.

Commissioner Castillo commended the HMHD, ECRMC, PMHD, and Dr. Tristan for doing an excellent job. Commissioner Castillo mentioned the HMHD donations when reviewing the business plan. The donations are small amounts but are great donations. Sometimes the community doesn't realize how important these donations can be. Commissioner Castillo highlighted a \$5,000 gas voucher donation for a cancer patient. This donation surprisingly has a big impact. Some cancer patients can't get to their doctors because they don't have gas money or transportation. The gas vouchers really help. Speaking with the Cancer Research of the Desert, the community needs those gas vouchers. Commissioner Castillo stated keep doing the work you are doing, and the great things for the community of Calexico and the tremendous service.

Mr. Heuberger advised Mr. Rivera that the Commission would require the updated business plan at least 30 days prior to the hearing because of the 21 public notice rule. That will provide HMHD the 90 days. At the next hearing, the Commission will need to make a decision that HMHD is or isn't in compliance.

Commissioner Froelich asked HMHD if they have contacted the Consulate in Mexico. The Consulate does outreach for health and wellness programs and they have many contacts. The Consulate has a lot of connections as far as partners, education, keeping appointments and the importance of wellness.

Mr. Rivera replied that HMHD works with the Mexican Consulate and Ventanillas de Salud and their staff. Ventanillas de Salud has entertained a notion to approach HMHD and join in partnership with an expanded Ventanillas de Salud, which is in the process of being formulated and presented to HMHD. Mr. Rivera stated that Mexico City has re-authorized the Ventanillas de Salud program which is run through the Mexican Consulate in Calexico and administered by Calexico Chamber of Commerce. There will be an expansion of that and hopefully the Consulate will be addressing HMHD. HMHD will keep in close contact with the Consulate.

Commissioner Froelich stated the Consulate does reach out to residents on the north end of Imperial County from the Ventanillas de Salud program.

Commissioner West motioned to continue to the May hearing and passed by the roll call vote of Jackson, Kelley, Castillo, West, and Froelich.

EXECUTIVE SESSION

No Executive Session Items

Mike Kelley, Chairman


Jurg Heuberger, AICP, CEP
Executive Officer to LAFCO