

**MINUTES OF THE
PLANNING COMMISSION MEETING
January 25, 2023**

The Imperial County Planning Commission convened a Meeting on Wednesday, January 25, 2023 at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick, Assistant Director, Michael Abraham / Planning Division Manager, Diana Robinson, Planner I, Gerardo Quero, Planner I, Victoria Escalante, Planner I, Cruz Guzman/Clerks- Valerie Grijalva & Melina Rizo.

Chairman Rudy Schaffner called meeting to order at 9:02 a.m.

I. Roll Call: Commissioners present: Schaffner, Kalin, Roben, Cabañas, Gallegos, Bergh, and Pacheco

Zoom Call: Medina and Wright

II. Pledge of Allegiance:

III. Public Hearings

1. Consideration of Brown Act Resolution to “Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361.” The Commission took the following actions:

Motion was made by **Commissioner Kalin** seconded by **Commissioner Bergh** and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes), to adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361.

2. Election of Officers: Commissioner Kalin made motion to appoint Rudy Schaffner as Chairman seconded by **Commissioner Cabanas** and carried on the affirmative vote by Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes). **Commissioner Roben** made motion to appoint Carson Kalin as Vice-Chairman seconded by **Commissioner Cabanas** and carried on the affirmative vote by Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

3. Approval of Minutes: Vice-Chairman Kalin entertained a motion to approve the Planning Commission Minutes for the **December 14, 2022** meeting as submitted by staff seconded by **Commissioner Cabanas** and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes), to approve minutes as they stand.

4. Consideration of Time Extension #22-0026 for CUP #06-0039 as submitted by Mike Mamelli, Jr. and Polaris Experience, LLC for a new fifteen (15) year term for Conditional Use Permit #06-0039 for an existing Recreational Vehicle storage facility (Glamis Dunes Storage) in the Glamis area. The property is located at 5379 E. US Highway 78, Brawley, CA 92227; also known as Assessor’s Parcel Number 039-310-026-000; and legally described as Parcel 1 of Lot Line Adjustment #296, also being a Portion of West 1/2 of the Northeast 1/4 and of West 1/2 of Tract #37, T13S, R18E, S.B.B.M., in the unincorporated area of the County of Imperial. (Supervisorial District #5) [Gerardo A. Quero, Planner I at (442) 265-1736, extension 1748 or via email at gerardoquero@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Gerardo Quero**, Planner I, to read the project into the record.

Gerardo Quero, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for the project to approach the podium.

Michael Mamelli, Applicant; Introduced himself.

Chairman Schaffner; Asked if he had any questions or comments regarding the project, and if he read and agreed with everything.

Michael Mamelli, Applicant; Stated that they read and agreed with everything and had no further questions.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Chairman Schaffner: I have one question, are we all up to par with the parking lot pavements and all that has to happen out there?

Michael Mamelli, Applicant: Yes, we did it in stages last year because half the parking was occupied; probably about 22 acres at a time for last year for the re-asphalting and maintenance. This year we will move them to the over side that just got finished; and then this summer we will continue with the second half of the project.

Chairman Schaffner: Ok, that is all I have.

Vice-chairman Kalin: Made a motion in favor of project seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #4** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

5. Consideration of **Time Extension #22-0031 for CUP #03-0029** as submitted by Kyle Vestermark for a new fifteen (15) year term for Conditional Use Permit #03-0029 for an existing Recreational Vehicle storage lot (Dunes Edge Storage). The property is located at 2496 E. US Highway 78, Brawley, CA 92227; also known as Assessor's Parcel Number 039-120-027-000; and legally described as Parcel 2 of Parcel Map #608 of Southwest Quarter of Section 33, T13S, R16E, S.B.B.M., in the unincorporated area of the County of Imperial. (Supervisory District #5) [Gerardo A. Quero, Planner I at (442) 265-1736, extension 1748 or via email at gerardoquero@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Gerardo Quero, Planner I**, to read the project into the record.

Gerardo Quero, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for the project to approach the podium.

Kyle Vestermark, Applicant; Introduced himself. (Attendance via zoom)

Chairman Schaffner; Asked if he had any questions or comments regarding the project, and if he read and agreed with everything.

Kyle Vestermark, Applicant; Stated that they read and agreed with everything and had no further questions.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Bergh: I have one question, when these trailers are brought back, what sewage situation is that? Dump? Or are they stored?

Kyle Vestermark, Applicant: When the trailers are brought back, we have on site dump facilities and a couple of years ago we converted our holding tanks into a pond system that was approved by the regional water quality control board, on a separate CUP; so the waste is now processed on site.

Vice-chairman Kalin: Made a motion in favor of project seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #5** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

6. Consideration of **Conditional Use Permit #22-0019/Initial Study #22-0033** as submitted by Karen Brunell, who is proposing to construct and operate a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot on property described as Parcel 2 of Parcel Map 2343 in Section 25, Township 16 South, Range 9 East, SBBM, in an unincorporated area of the County of Imperial, Assessor Parcel Number 033-250-074-000 (1374 Shell Canyon Road, Ocotillo CA 92259),(Supervisory District #2) [Gerardo A. Quero, Planner I at 442-265-1736, extension 1748 or by email at gerardoquero@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Gerardo Quero**, Planner I, to read the project into the record.

Gerardo Quero, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Karen Brunell, Applicant; Introduced herself.

Chairman Schaffner; Asked if he read the entire project and agreed with everything.

Karen Brunell, Applicant; Stated that she read and agreed with everything.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Vice-chairman Kalin: Made a motion in favor of project seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #6** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

Chairman Schaffner: Agenda item #7, Mr. Roben, you will be stepping out?

Commissioner Roben: I am declaring a conflict of interest and I must remove myself from this item.

7. Consideration of **Lot Line Adjustment #00328** as submitted by John Allen, (CEO of Kilmainham Gateway Development) is requesting a lot line adjustment to suit future developments and to accommodate the abandonment of portions of Carr and Stefani Roads. The proposed project site consist of three (3) parcels is located at 1713 Stefani St, Calexico, CA 92231. The parcels are legally described as Lot 11, Lot 12 and Lot 13 of the Final Map for Maggio Commercial Park Subdivision Tract No. 941 – Unit 4, Recorded in Book 28, Pages 25-29 of Final Maps, in the Office of the County Recorder, County of Imperial, State of California. “Lot 13” is identified as Assessor’s Parcel Number (APN) 059-434-002-000, “Lot 12” as APN 059-435-008-000, and “Lot 11” is identified as APN 059-435-007-000. Total area of all parcels and Stefani Street is approximately 8.31 acres. (Supervisorial District # 1), [Victoria Escalante at (442) 265-1736, extension 1750 or via-email at victoriaescalante@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Victoria Escalante**, Planner I, to read the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Tom Dubose, Representative; Introduced himself.

Chairman Schaffner; Asked if he read the entire project and agreed with everything.

Tom Dubose, Representative; Stated that he read and agreed with everything; had no questions and was only present to answer questions if any.

Chairman Schaffner; Opened the public portion of the meeting.

John Pierre Menvielle, Public speaker: I am one of the landowners out of the Gateway project. This deal here, this Tract Map 941 that they are trying to make changes on is part of the Gateway project. The Gateway project was approved by the Board of Supervisors back in 1997. There were four (4) major land owners that were involved in this project and Mr. Dubose over here represented Eric and Frances Rice and my cousin Tony Menvielle, and then our family had a land planner in the Los Alamos Group and way back in 1997 we all agreed to certain things out here at the Gateway. That’s the way it was going to be approved with all four (4) land owners agreed upon. What you got here today is, the Map that was agreed upon; a road circulation map by all three (3) Tract Maps 940/941/942; The Dubose Group agreed to it also. So now the Kilmainham Corporation or group bought this porkchop property that is forty (40) some acres with eighteen (18) lots and roads and now they are going to try and change the design of the property to fit what they want to do. But by them doing so, they are screwing up the circulation on this whole Gateway spa that was approved by the Board in 1997. Now, what they are doing today, is just a Lot Line Adjustment which is fine; but what they are also doing is they are getting rid of Carr Road, (referenced Vicinity Map) which goes into my cousin’s 942, which was what Mr. Dubose represents. I understand that has to go to the Board of Supervisors, I know you are just approving the Lot Line Adjustment today; Then they are also getting rid of Stephani Road, to the East which goes all the way up to our property. The reason I am here complaining is, we own property North of this property. We sold it to Mr. Voght, half of it. He’s had a protest letter in right here, with all the Board of Supervisors. He is protesting that these roads not taken out; because when I sold the property to him, he was under the assumption, that this was the circulation plan. And now these guys come along and want to make changes. I have really nothing to do with what you guys are doing here with the Lot line adjustment, the problem I have is them taking out Carr Road, through where these three (3) lots are, which goes against what was done in 1997, by the Board of Supervisors, that we all agreed upon. We worked hundreds of hours, Dubose can tell you; working with Mr. Hueberger and the Board and now they want change the circulation pattern which is damaging to the Port of Entry onto the Gateway project. If you guys approve it today that is fine, but’s it’s conditioned of getting rid of these roads, and if the Board does not approve getting rid of these

roads then the Lot Line Adjustment is no good. This will go back to what is was. I am happy that Mr. Allen has come in and bought the porkchop piece and he is developing and is spending money and is going to put in stuff which is going to create jobs, but he wants to change according to how he thinks it will work best for him. Mr. Roben left, which is smart on him because he has a conflict of interest, he works for Duggins; Duggins is doing all the work down there for this guy. And then on my side Mr. Voght is doing his work; everyone is spending millions and millions of dollars which is going to help the county, it will help the county's budget and so that is all. You may do what you are going to do, but I am not going away, I may lose but I don't have any problem I have lost plenty of times but I am telling the truth of what is going on here. Thank you for your time, and good luck.

Oscar Grijalva, Duggins Construction Vice President, Representing Kilmainham Partners: It is true that in 1997, the County came in and created this industrial park and even though we appreciate all the work that Mr. Menvielle put together, Tom and everybody else back in 1997 to get this all put together, things change. As you guys know in the Planning Commission and the Board of Supervisors and us, Duggins Construction and Tom, things change, climate changes, the industry changes, everything that is happening out there changes; the spa has been dormant for a long long time you know; Duggins is out there pretty much building a little bit of buildings here and there however right now, there is a push by everybody to try and get development out there not just John Pierre Menvielle, Mike Voght, Kilmainham partners, and all of the current property owners out there but as we are developing these projects we realize that what was created way back in 1997 needs to be adopted to what is happening now. There's truck stops that are being built; there's (2) hundred thousand, (3) hundred thousand sq. foot warehouses that are being built that the amount of streets and the location of the streets doesn't allow us to do that. So while there is going to be some type of modification to the traffic element unfortunately because of what is coming; and we don't really want to stop what is coming because what is coming is good, it is these (2) hundred thousand sq. foot boxes (3) hundred thousand sq. foot boxes. Duggins construction has not built that size buildings here in the Imperial Valley and now we are starting to get clients that are looking for that kind of buildings, which is good, it brings jobs, revenue, development, it brings all of that; unfortunately it does mean that we have to change what we did way back when but everything that was done then, including all the tentative maps and everything else, that's why they are called tentative maps because they are tentative maps; because they are tentative until you submit the final map with modifications and everything else, so, as far as changing things, changing traffic patterns, unfortunately that is one of the things that has to happen. Now, in this specific project we are looking at doing a lot line adjustment between two properties; one that doesn't really affect the streets and the other lot line adjustment is one that will have to be created if Carr Road, is approved to be abandoned by the Board of Supervisors, if it is not approved to be abandoned by the Board of Supervisors then that part of the application will go back to it was originally; but the one lot line adjustment that is between two parcels that will happen no matter what. That is something we do need approval on; and the reason we need that lot line adjustment is because when we designed the location of all parcels on the final map and as we were considering smaller buildings, some retail and different type of facilities and in order to make them fit we needed to move the parcel line a little bit to make sure we do not build on top of a property line. And that is basically what we are trying to do now. One of the things that we looked at in the idea of abandoning Carr Road, is do the adjacent properties have the traffic pattern that they need. Abandoning Carr Road in our opinion doesn't modify their traffic patterns because traffic coming out of Mexico into United States is basically car traffic that is going on Menvielle Rd., it is not semi traffic; What they are looking for is more semi traffic. They do have some commercial in their parcel and so do we but it is just as easy if not easier to go down Menvielle, turn right on Maggio, and get into both their parcels and our parcels. So in our opinion Carr Road, is more of an internal street and we don't feel it is so necessary for the project as a whole. Thank you.

John Pierre Menvielle, Public speaker: Oscar is correct, in twenty years things have changed. Mr. Allen's project the porkchop piece that Oscar is representing, is all commercial. But he is allowed to; Mr. Minnick says if you built a warehouse that is less than (35) thirty-three thousand sq. ft. you can built on industrial while on commercial but where Oscar is incorrect is that everyone could turn on Menvielle and turn right on Maggio and have access to our parcels, however that will only load up Maggio. Carr Road was there because you

could even come in if your bridge is out going to Calexico, you could still use Carr Road and come in, cross Menvielle and get to the port that way. It is all about road circulation; the less roads you have the more cars you have; more impacts you have. (Referenced Site plan on shared screen) the one on the left side is with Carr Road still in and the one on the right side with Carr Road out, they could still do this lots with Carr Road in. The other thing is that they will go to the west and take out Stefani Road, which is not on the Agenda today, and put in a truck stop to consolidate all those lots (27 acres) or so. So, they can still keep that road in; it is foolish to take a road out because you have to have circulation. You have trucks around, cars around, movement around. This port of entry, we have been at it for twenty (20) years, it is now starting to take off, as Oscar said, people are coming out here, it will take off and it will be an economic boom for the county. If this thing is to be built out someday, it is fourteen (14) hundred acres it could be built out ten (10) or fifteen (15), I mean you are going to need all the roads you can have out here because of all the traffic; coming out of Mexicali and commerce going on. You should not be getting rid of roads. Maybe you don't need them today, because based on their project it is better to not have them for what they are trying to do, but in the future you are going to hurt this place. And we had good land planners, we had traffic engineers, we spent hundreds of hours, and lots of money to figure this thing out on circulation, on everything. And this thing was figured out to work, by leaving it the way it was. What really is the problem here is the 80 industrial 20 commercial; but that is easy, Jim has it figured out so that they can build stuff on commercial. That is not the problem. Getting rid of roads is the problem. That is fine, they want a lot line adjustment here today but it is predicated that the Board approves that they get rid of these roads. Anyway, Oscar can come up here and says what he wants to say, things change, yes things have changed, everybody knows that but there's an agreement. Tom over here knows, he is still in this project. I have all the documentation, everything that happened with this project. And what is being done here is incorrect and wrong. Thank you.

Chairman Schaffner: Ok, any others comments from the public? There were no additional public comments. Mr. Minnick, I know this has nothing to do with us today, but I am sure that if this goes forward that there is going to be engineering coming in the County to conduct traffic studies and figure out what is good and bad about all this.

Jim Minnick, Director; The Public Works Department, has to go through the road abandonment requests and ultimately present a report to the Board of Supervisors, whether it is critical circulation or not. But yes. The request with you, if you specifically look at Condition S-5, this project is subject to approval of road abandonment. As Oscar mentioned earlier, part of the adjustment is an east to west line which could still move forward even if the road abandonment was abandoned. North line is what would not be approved should the Board deny the abandonment.

John Pierre Menvielle, Public speaker: I have one additional comment, I went over this project with Mr. Minnick first, and then Mr. John Gay about it, and you know what Mr. Gay told me, he said I don't need any more roads, he said he is not against taking a road out because we have enough roads; that is a bunch of bs man. I just wanted to throw that out there.

Chairman Schaffner: Ok, Commissioners, any comments?

Commissioner Bergh: When was the last traffic study done on this specific road? Was there a traffic study done in 1997?

Jim Minnick, Director; Well actually 1995, is when the EIR was done.

Commissioner Bergh: Has anyone checked and seen what the traffic count is on that road?

Jim Minnick, Director: That road doesn't exist. This is a paper subdivision. It has not been built. It is dirt. It is an internal road within a subdivision. It is not part of the backbone infrastructure road system of Gateway.

Commissioner Bergh: so it is not built.

Jim Minnick, Director. It is not built. All of the Tract Maps, there is three (3) that were created for Gateway, all of them have external, master roads, as well as internal roads. The Gateway plan along with the Tract Maps were designed to be moved and adjusted based on market. For example the Gateway is 80/20

commercial industrial but it can actually go all the way to 39% commercial versus industrial based on market. So all the Specific Plans are living breathing documents that can be adjusted over time based on what is going on. You are talking about a twenty-six (26) year old plan that actually was first created two (2) years before that, because it took two (2) years to obtain approval. So what is being asked is to do an adjustment. Another example about change is if in one of the subdivisions a Unit number two (2) was supposed to be twenty-six (26) parcels, we only actually mapped fourteen (14) parcels within that same unit because originally in 1995 and 1997 the tract map operator that was Alamos at this time, the same tract map as the one in question, felt that the lots needed to be smaller, market however said no. Market doesn't want half acre lots, market wants one acre lots. So we recorded that unit that changed. We recorded Mr. Menvielle's unit to the North, it is not exactly the way when it was originally tentatively approved. So, we have modifications / adjustments that occur. That is just the nature on how this works. If they were to create additional parcels, going from fourteen (14) to twenty-six (26) a new traffic study would have to be done. But in this particular case, No there hasn't been a traffic study in this geographical area to my knowledge; If this Public Works deems it necessary as part of the road abandonment then they will require a study to be done. If they do not deem it necessary then they won't. They will have to rely on the roads commissioner to know what he is doing when it comes to roads.

Vice-chairman Kalin: Made a motion in favor of project seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #7** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

8. Consideration of **Initial Study #22-0025: Forrester Road Bridge Replacement:** Applicant: Imperial County Public Works Department. Applicant proposes to implement the Forrester Road over Westside Main Canal Bridge Replacement project, which includes the demolition of the existing County Bridge No. 58C-0014 over the Westside Main Canal and culvert under the approach roadway for the Sumac Canal, and the construction of a replacement bridge and culvert. The property is legally described as a portion of Tracts 203 & 222, Township 14 South, Range 13 East, S.B.B.M. in an unincorporated area of Imperial County; Assessor's Parcel Numbers 040-170-010-000, (3712 Forrester Rd, Brawley, CA 92227, Supervisorial District #3), [Cruz Guzman, Planner I at (442) 265-1745 or by email at cruzguzman@co.imperial.ca.us

Jim Minnick, Director; Gave a brief description of the project, and introduced **Cruz Guzman**, Planner I, to read the project into the record.

Cruz Guzman, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Jessica Koteen, Juan Cruz (Consultant), and Veronica Atondo Representatives; Introduced themselves.

Chairman Schaffner; Before I open up to public comments, I would like to make one comment, I know that is a highly angled bridge, yet a fairly modern bridge however, the bridges here keep sinking, a prime example is the McConnell Road bridge; you guys have rebuilt several times, and then three (3) years later it sinks and you keep redoing and redoing it. I wish you guys would consider putting in pipes. Because if you put in pipes instead of a bridge, which is way cheaper, when something sinks you just built up another road you just add to it. Enough said, I will open this up to the public, would any one like to speak on this item?

Vice-Chairman Kalin; What is the approximate timeframe for completion of this project, from beginning to end? How long will the traffic be stopped on Forrester Road?

Juan Cruz, Representative: Approximately six (6) months.

Commissioner Bergh: A diversion plan?

Juan Cruz, Representative: There is no diversion plan. There are existing sheath piles out there, some additional will be added to construct behind.

Chairman Schaffner: What is the cost of this bridge?

Juan Cruz, Representative: The last cost estimate we had was approximately ten (10) million.

Commissioner Bergh: So there is no traffic diversion plan?

Chairman Schaffner: Does the entity of the government you can get grant money from, will they put bridges in there that are pipes or will they only do bridges that are bridges?

Juan Cruz, Representative: So, the possibility of pipes, would be difficult given that this canal is maintained by IID, and they would probably protest that greatly. There is also environmental considerations putting in a pipe when there's a bridge in place.

Jim Minnick, Director: Can you explain the traffic detour plan for the six (6) months the bridge is out.

Chairman Schaffner: While we bring that up, we have a member of the public that would like to comment on this item. Please state your name and address for the record.

Steve Dahm, Public Speaker: I spoke here before when they had the preliminary, and my concerns of what you are looking at now are, how long will it be out, and the traffic diversion; because when the bridge was out for three (3) or four (4) months before, I farm the property to the west, and all the semi's were going around my ditch bank road, beating up all the road and then they come to Keystone to cross back over to Forrester over the west side main and that bridge isn't designed for all the weight that is going over that thing, so pretty soon that bridge will go too. Another concern that I mentioned before is they should put all the flashing lights at Highway 86, to tell people this road is closed; because what happens is they come all the way down Forrester Road, they get to Carter Road, where they put the barrier up and people run through them or around them because people do not want to drive back to Brawley. Now you have given them a twenty (20) mile trip to get back to Highway 86. So they go on to Imler Road and then down my field banks. And the district has helped before by maintaining those, because the dust and everything else, the holes it developed, but there has to be more planning here because this is such a main artery; it is the north to south route from Westmorland all the way to Old Highway 80. There is no stop sign that is what is wrong with the bypass. We don't get underpasses or overpasses like they do in other places, so unless something is done to try to minimize going down Forrester Road all the way from Westmorland, because that is where the majority of long distance trucks and cars are coming from. Something has to tell the drivers to stay on Highway 86 and take the bypass, then that is not going to work. I think we are going to have problems again and somebody is going to get hurt this time as you will have more activity, heavy equipment and moving stuff around whereas before it was more localized around the bridge, cars driving around it, semi's and stuff; and I don't believe this will all happen in six (6) months.

Chairman Schaffner: Mr. Minnick, I am just curious, the detour road maps tells you where you need to go and all of that, is there any way they could be notified and that could route people around that ?

Jim Minnick, Director: That is a very good question. I am assuming so.

Veronica Atondo, Representative: Public Works department anticipates to set up the encroachment permit with Caltrans so, we have the CMS boards at the 86 and all the locations where need be. Actually we've had some comments and I do agree with the comment just done, it is true that when a road is closed without advising the public from the 86 or from the 111 or another large interstate we have problems as many people use these roads as shortcuts. We agree with that and that is included as part of the measurements we need to take and hopefully we will be very vigilant about all the issues concerning this project. And in regard to the construction, the actual timing for the beginning of the construction depends on the funding approval. These projects are approved within phases; right now we have funding for the environmental clearance, this is the last step but from here we go to Right of way acquisition and then must obtain funding for that and then whenever the construction funding is available that is when we get it. If everything goes alright we are thinking 2025, but this depends on the funding availability with the California Bridge Program.

Chairman Schaffner: How old is the bridge?

Juan Cruz, Representative: I believe around one hundred (100) years old.

Chairman Schaffner: The concrete bridge that we saw? There is no way that is on hundred (100) years old. Not even close.

Veronica Atondo, Representative: I apologize it is fifty-five (55) years old.

Jessica Koteen, Representative: (shared screen with detour plan)

Chairman Schaffner: Ok, if there are no further comments from the public, we will close the public portion and bring it back to the commissioners.

Vice-chairman Kalin: The traffic is a major item. It needs to be addressed. They do not need to be driving across Mr. Dahm's property. And there is an IID right of way there so, people can do it, Steve can not tell them not too, however there is a major concern, if you farm on both sides of the west side main how do you move your equipment around.

Vice-chairman Kalin: Made a motion in favor of project with the condition we come up with a good method of moving traffic around this for the time period that it is going to be shut down; seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #8** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

9. Consideration of **Conditional Use Permit #22-0006** as submitted by DACSA Trucking, LLC. Applicant proposes to operate a trucking facility located at 2095 Old Highway 111, El Centro, on properties identified as Assessor Parcel Numbers 044-460-032-000 and 044-460-042-000, further described as a Portion of Par 80-A LLA 80 of Par 1 PM 1312 of TR 40, T15 R14 and a Portion of Par 80-A LLA 80 of Par 3 PM 1312 of TR 40, T15S R14E. (Supervisorial District #5), [Diana Robinson, Planning Div. Manager at (442) 265-1736, extension 1751 or by email at dianarobinson@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Diana Robinson**, Planning Division Manager, to read the project into the record.

Diana Robinson, Planning Division Manager; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

David / Sylvia Aguilera, Applicant; Introduced himself/herself.

Chairman Schaffner; Asked if he read the entire project and agreed with everything.

David / Sylvia Aguilera, Applicant; Stated that he/she read and agreed with everything.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Vice-chairman Kalin; Made a motion in favor of project seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #9** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

VI. Public Comments, NONE.

VII. Commissioner Comments

Commissioner Bergh; Lithium; The recovery process, I have read online about the problem of cleaning up lithium from batteries and all that stuff, does the County have any type of research done on how they will dispose of those batteries?

Jim Minnick, Director; We can check with Environmental Health and DTSC.


Commissioner Bergh; There is a lot of talk on the internet which says that these batteries or sections of these batteries could be replaced, but they are not talking about anything within recovery or how they are doing to dispose of them; I don't believe our dumps out here could take them.

Chairman Schaffner; Somebody came into Holtville and bought a big piece of land west of the high school football field and said that is what it is for. I do not know anything more about it but they said that is what it is for.

Jim Minnick, Director; We have actually had people come out here and talk to us about creating a recycling facility to actually dismantle the batteries because the lithium in them is reusable so they want to actually salvage and resurface it. One of the things they actually want to do is take electronics and batteries and dismantle them and then they would ship out the grinding pieces to facilities that would then take it and melt it down to elements and reconstitute them. That property is not going to do anything more than grind, it will not process the minerals or change the elements.

VIII. Director Comments, NONE.

IX. **Adjournment:** Meeting adjourned at 10:04 a.m.



Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Valerie Grijalva & Melina Rizo PC Recording Clerks
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