

**MINUTES OF THE
PLANNING COMMISSION MEETING
July 12, 2023**

The Imperial County Planning Commission convened a Meeting on Wednesday, July 12, 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 II Derek Newland, Clerks- Valerie Grijalva & Laryssa Alvarado.

Chairman Rudy Schaffner called meeting to order at 9:00 a.m.

I. Roll Call: Commissioners present: Schaffner, Roben, Cabañas, Bergh, Medina, and Wright

II. Pledge of Allegiance:

III. Public Hearings

1. Approval of Minutes: Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **May 24, 2023** meeting as submitted by staff; **Commissioner Cabanas** made motion to approve minutes seconded by **Commissioner Bergh** and carried on the affirmative vote by the Commissioners present Schaffner (yes), Roben (yes), Cabañas (yes), Bergh (yes), Medina (yes) Wright (yes) to approve minutes as they stand.

2. Consideration of **Time Extension #23-0006 for CUP #07-0012** as submitted by KGBA AM for a fifteen (15) year Time Extension for Conditional Use Permit #07-0012 for a guyed 165 foot AM broadcasting tower. The property is located at 1251 Hwy 86, El Centro, CA 92243 also known as Assessor's Parcel Number 054-130-069-000; and legally described as TR 591/2 & 62 & E2 TR 58 & POR S2 OF SW4 TR 58 16-14 176.57AC, S.B.B.M., in the unincorporated area of the County of Imperial. (Supervisorial District #2) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at dereknewland@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Derek Newland**, Planner II, to read the project into the record.

Derek Newland, Planner II; 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.

Walter Roberts, Applicant; Introduced himself.

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

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

Jim Minnick, Director; Stated **Agenda Item #2** stands approved by this Commission. In which the applicant or any member from the public want to appeal must done by filing the appropriate appeal in the next ten (10) days.

3. Consideration of **Lot Merger #153** as submitted by Grewal Holdings, LLC, who is proposing a comprehensive Lot Merger to combine nine (9) parcels and a segment of Stefani Street for the future development and construction of a new TA Truck Stop. All lots are located east of Marcy Street and adjacent to California State Route 7 (CA-SR7) within the Gateway of the Americas Specific Plan Area. The Lot Merger would create a single +/- 16.72-acre parcel. These parcels are further identified as Assessor's Parcel Numbers 059-434-009, 059-434-010, 059-434-011, 059-434-012, 059-434-013, 059-435-003, 059-435-004, 059-435-005 and 059-435-006; legally described as Lots 4, 5, 6, 7, 8, 9, 10, 17, and 18 of the Maggio Commercial Park Subdivision, Tract 941-Unit 4, Township 17 South, Range 15 East of the San Bernardino Base & Meridian (S.B.B.M.). (1761 Maggio Road, Calexico, CA; Supervisorial District #1). [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.

Jim Minnick, Director: We did receive two comment letters. They are comment letters directed to Public Works but we did receive them in conjunction with the merger.

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

J. Carlos Romero, Representative; Introduced himself.

J Carlos Romero, Representative; The 9 parcels and the street once it's vacated is going to be combined into one. The project will consist of a building that has in house restroom facilities for truck drivers, restaurants, food. Then they have the dispensary pumps and they have an area where they're going to have natural gas dispenser as well and an area where they are going to have a truck shop for tire repairs, wash, and other mechanical repairs. We say that right now the truck traffic on that area is being increased and there's a lot of demand for these services. We think it'll be a good project for the County and to serve the truck industry and the commercial area surrounding it. That's all I have to say for now

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

J. Carlos Romero, Representative; Stated that he read and agreed with the project report.

Chairman Schaffner; Opened the public portion of the meeting. Public comments were made by John Menvielle.

John Menvielle, Good morning Commissioners, John Pierre Menvielle 897 W Ross Road, El Centro, CA. I am a gateway land owner. I have property next to this project. First of all I want to ask Mr. Roben don't you have a conflict here with Duggins Construction?

Commissioner Roben, We're not doing anything on this project so no.

John Menvielle, Or you are involved with this project? Oscar Grijalva has been involved in this project since day one.

Commissioner Roben, We were involved with all the mapping but we're done.

John Menvielle, Okay that's fine. That's not a problem. I've been involved in the Gateway since it was first put together back in the early 90s working with Mr. Heuberger and 4 major land owners. Tract map 940 which is our family and 941 and 942. We went before the board of supervisors back in 1997 with a circulation plan and the okay on all the maps to have their own road circulation including this piece of property which we call a pork chop that has Stefani road in it that they want to vacate. In order to make the truck stop work according to them, they need to vacate Stefani Road. Can you bring the map up? I want the one that shows all the properties around it. Hold that one for moment. That map right there the orange color is Stefani Road that they're going to ask the Board of Supervisors in the future to vacate that road. I am not against the truck stop. What they're trying to do with the truck stop is going to be healthy for the Gateway and it's good that the truck stop is going there. They're consolidating 9 lots to make the truck stop into 16 acres and they want to vacate Stefani Road. They can put the 4 lots up there, 1,2,3,5, 4 and the other 4 down below can be consolidated together and still keep Stefani Road in. The truck stop will still work they just have to go back and forth across Stefani Road. My complaint is that there's been a circulation plan put in this project going back to 1997. Mr. Gay, Director of Public Works, he does have a proposal from LLG engineering to do a new proposed traffic study update which hasn't been done in 26 years. In order to look at the proper circulation around here, that traffic study needs to be done first and show whether we can vacate roads or we can't vacate roads. My family as we have 4 protest letters starting all the way back to August 20, 2021 it's the first time we heard they were going to try to get rid of Stefani Road. We put another letter in November of 21. Then Mr. Vogt, I'm also representing Mr. Vogt here today. Michael Vogt he owns Irie Development he has 835,000 square feet of development on east side SR 7. And he's bought part of our property and on our property the 120 acres to the north of this property, north of Maggio road he's going to build 1.2 million square feet of industrial space plus a bunch of commercial space. That's why the Stefani Road needs to stay in. He has a protest letter in here from December 27th of 22. I have 4 protest letters in here but anyway I know this is a lot of consolidation we got nothing to do with vacation of getting rid of Stefani Road. I'm mainly here to complain about you putting these 9 lots together into one which makes 16 acres. Like I said I'm not against the truck stop it's going to be healthy for the gateway but they're going about this the wrong way. It needs to be a study done. They need to relook at this thing, circulation plans and let's do this thing right. Anyway, you guys go about your business. Hopefully Gerardo said he got all the protest letters in the packet. I just want to read Mr. Vogt's protest letter. I think it's very important. He's the big developer out there. He's the one who started developing in 2000 and put up the very first building at the Gateway. In your packet the letter is December 27th 2022 the letter is addressed to John Gay, the Public Works director. Dear John it has come to my attention, that street A, which is Stefani St, in Gateway of the Americas Specific Plan Tract Map 941 Maggio subdivision may be proposed to be eliminated. As the owner and the developer of the adjacent property directly north of Tract 941, that 60 acres he bought from the Menvielle family which is under construction, will ultimately consist of 8 commercial pads and approximately 1.2 million square feet of industrial buildings which my company Irie Development will build in 2 phases, see exhibit A which is included. Irie Development was the first to develop industrial buildings at the Gateway starting the year 2000. Since then our completed gateway portfolio has grown to 5 business parks, 835,000 square feet see exhibit B. Irie Development is opposed to the elimination of Street A, which is Stefani Street, as it will compromise the connectivity of our 2 respecting subdivisions. This will be the most damaging to both of our future commercial businesses that need to have ease and direct traffic circulation in order to conveniently service mutual customers of Tract 940 & 941. It goes on to say my company acquisition of this 120 acre project was due in part in reliance of the gateway specific plan documents which have set out to create a high quality standard for development as well as cohesive circulation plan to benefit property owners and end users alike. I believe a departure from this plan without a full formal master plan update will establish a dangerous piece meal precedent. I appreciate your consideration and my serious concern for these issues. Also, I thank you for continually for guidance and development of gateway of the Americas specific plan. What Mr. Gay has a proposal from LLG. It is supposed to go to the Board of Supervisors. It should have already gone to them. The proposal from LLG that was given to Mr. Gay on April 3, 2023 and it's about updating the traffic study at Gateway. Nothing has been done in 26 years or look at the proper circulation plan. So in other words to vacate Stefani Road without looking at a proper proposal on the whole circulation of the plan is basically the kiss of

death. This thing will be done. It's going to blow a big hole in the West side of SR7. I've got that in my protest letter. Anyway that's where I'm at. I'm not against the truck stop. They can build the truck stop and leave Stefani Road in, just consolidate the ones in green on the North, and green on the south. Their project is still going to work. They came up with this idea because I first got wind of it in August of 21 and then they start going to the Planning Commission in November or around there. They knew what the circulation plan was but anyways thank you very much for your time.

Chairman Schaffner; any other comments from the public?

J Carlos Romero, representative; The circulation plan that we're following, yes it was approved back in the 90s, but that circulation plan does not include Stefani Street as a main thoroughfare. It's not even shown there. The main thoroughfares are Menvielle, Maggio and other roads. We did follow on our final map we were in substantial compliance with the tentative map that was approved. And now, Grewal Holdings bought all those lots east of Marcy and they want to do the truck stop. The site plan of their truck stop requires that the street be abandoned and all those lots be merged. There's going to be a 30 feet wide or 40 feet wide Yosemite and access through the same pattern of that road. There will be access to Marcy to Stefani. What we notice is that the parcels north of Maggio, they're not shown here and Mr. Menvielle owns and working with Mr. Mike Vogt, on those we notice that the final maps that they got approved for that parcel they do not follow the original tentative map. They deleted a bunch of roads and county board approved it. This case is a lot merger it's not talking about all the ins & outs of the street abandonment which were going to present fully at the board meeting. But the background is that Mr. Menvielle is opposing it's a dual phase here or dual moral. Because he got his final map, deleted a bunch of streets and now he's opposing a segment of abandoning here. I don't think there's a logical basis for that and I'm going to leave it at that at this point.

John Menvielle; I want to comment on what Mr. Romero said. First of all, you guys have this in your packet this is all 3 tract maps, 940,941 942. These were all approved back in '97 by the board of supervisors and these were all approved by the major 4 landowners out there, Wright's family, the other Menvielle family, the Maggio family and our family. We all agreed to this circulation and they all say the roads aren't part of the specific plan. The major roads are but all the internal roads are part of the tract maps. All internal roads are part of it. Stefani road is an internal road which is part of tract map 941 that was approved by Maggio, us. We all agreed to the circulation plan. So they want to take Stefani out and then there's another deal they want to take Carr out also, not these guys. It just blows a hole in the circulation of Westside. Carlos brought up that our map, our original map, 940 that got approved by the board in 1997 and yeah, we've gone in here and made changes on our roads. The road changes we made are internal roads they weren't circulation roads that went from our property to Wright's property or our property to the porkchop below or somewhere else. They were cul de sac within our own property and we did go before the board in 2007 and 2008. I got the documentation. We had some roads taken out because we reduced lots down to smaller lots but it didn't affect the circulation roads that affected anybody else's property. At the time we did that, Wright's was okay with what we were doing and my cousins were okay and Neil Fox who bought the Maggio ground, was okay. Nobody complained about what we were doing because it was internal roads. This is different. This is circulation roads that affect other people's property. What they're doing here is they're getting out of the liability of having to build Stefani Road which is probably 500-750,000 maybe 1 million dollars to build that Stefani Road. They're gaining Stefani Road's dirt I don't know what it is half an acre or an acre they're picking up and they're messing up the circulation plan. Mr. Vogt says in his letter they're doing damaging effect to the circulation plan. That's what's going on here. I can't complain I've heard people complain that we took roads out of tract map 940, north of gateway, that's true. And those were not circulation roads.

Commisioner Roben; I have a couple questions for you about that. One of the roads you took out connects directly to Highway 98 and it connects all the way to their property. So your logic is before you did that you should have done a complete redo of all the circulation element, all the traffic studies and all that prior to anybody doing anything because you made this change. So why is it that you didn't have to do this but you're

requiring them to do it? The traffic study? Because that road definitely connects all the way to highway 98 based on the 1997 map.

John P. Menvielle; that's correct

Commissioner Roben: and you took it out.

John P Menvielle; oh no I didn't take it out. Caltrans took it out. They said you will not connect

Commisisoner Roben: it did not go through the process you're talking about.

John P Menvielle; I'm doing the talking here you listen to me because I've been involved in this thing. Caltrans controls out there. You got state highway 98 and state highway 7 and they only allowed connections every half mile. So from state route 7 or to Menvielle road is half a mile and they said no connections a quarter mile. That road right there they said no it's out. Even though the final map went in, that's not a tentative map

Commissioner Roben: So would you agree that would change the whole circulation of that roadway through there?

John P. Menvielle; You argue what you want to argue. Mr. Gay needs to do the LLG traffic study to update it before any roads are vacated out here.

Commissioner Roben: I'm just asking you your opinion.

Commissioner Bergh: And my question is why didn't you have a traffic study done when you were making all those changes?

John P Menvielle; Because it wasn't necessary.

Commissioner Bergh; Why is it now necessary for him to do it?

John P Menvielle; Because it's been 26 years and they're taking out a road that affects other peoples properties.

Commissioner Bergh; I guess I didn't work long enough for Caltrans but anyways.

John P Menvielle; You're dealing with Caltrans and State of California.

Commissioner Bergh; Yeah they're wimps.

John P Menvielle; It's better than dealing with Imperial County

Chairman Schaffner; We got too many people away from the microphones. Yes sir?

Heren dussain, Manager of Grewal Holdings; introduced himself

Heren dussain, manager of Grewal Holdings; Can I request you to go to the aerial picture? They're talking about a traffic study of something which there is not even a road there. It's just dirt, nothing is there, no circulation plan. Something was decided 25 years ago between a few families and they want to work on that which is not even applicable now. So this is what it is. What should we study about? There is no road, no traffic it is just a lot. And theyre opposing lots merging to one.

Chairman Schaffner, but there are maps? So there is something there? Maps?

Heren dussain, manger of Grewal holdings; yeah so secondly the way he is saying it's a truck stop. They have big rigs they have to move. So if you have a road in between how will the trucks move? It's logically not possible. And then we need to have traffic lights all over just to control that.

J. Carlos Romero, representative, you have on your package a layout of the specific plan, this is taken out of this specific plan. Our pork chop this area right here does not have a road that is necessary for the circulation. You also have this layout in your package which are all the internalized represented by the subdivision tentative maps. So we are in substantial compliance of this but this his property was changed completely. He changed the layout of the traffic circulation for whatever reason, Caltrans or whatever, but they changed this. In the north end lot, instead of having 17 lots or 20 they have 6 or 8 and they didn't have to do any circulation re-amendment or any traffic study. We're changing also like they changed an internal street. That's what we're changing an internal street not a street in the circulation element. I think that if he's been treated for approval of those changes, I think we have the same right for this street abandonment to be approved. But again, we're not discussing the approval of the street abandonment here we're discussing the lot merger and we would appreciate you would consider these findings and approve it.

John P Menvielle, this is Mr. Romero's map and this is the final map that went before the Board of Supervisors and approved in the last year. And the final map has Stefani road in it. Right there is Stefani road, they're coming to you first and they want to consolidate 9 lots into 1 lot, 16 acres which includes Stefani road. So it's no way it's going to work if the Board of Supervisors approves vacating Stefani road. If they don't approve vacating Stefani road, the proposed LLG study says you can't take that road out. It's part of a circulation road. It's necessary for Mr. Vogt's property up here north and for everybody else. Then you guys are wasting your time here. Then go back and consolidate these lots here and these lots over here and keep Stefani Road in. Mr. Romero is saying that yeah we reduce lots and it went before the county Board of Supervisors and it was a final map. But we did not take out a road that was a circulation road. We did not take out Laborie road or Jeney road. They're taking out Stefani road that ties into our Jeney road which is part of circulation. This is the way this whole thing was set up. So you know we can argue all you want, I'm not against the truck stop. I'm against them having to take out Stefani road, putting 9 lots into 1 lot, and then going back to the board and get rid of Stefani road to make this thing work. This thing will work to keep Stefani road in and consolidate those lots, north and south of Stefani road, put in the truck stop it's good for the gateway but not good for circulation when they take a road out.

Chairman Schaffner, you're done.

J Carlos Romero, representative, just one more comment. We do have a letter from the traffic engineer that is going to do the study. But not for this, they're doing it throughout the county throughout the whole gateway that same company gave us a letter and they say there is no reason why not to get rid of that road, the Stefani one that were talking about.

John P Menvielle, that letter is in your packet and there's a counter to that letter on principal that the company did not know the other principal was taking care of Mr. Vogt's

Chairman Schaffner, we're not getting any of this on the microphone so we can't hear it.

John P Menvielle, I'd be glad to bring that up.

Chairman Schaffner, I bet you would.

John P Menvielle, I got plenty of evidence on this thing. Mr. Romero brought up the fact that LLG gave a letter to Tom Dubose on March 27th, 2023 saying they could vacate Stefani Road, it wasn't necessary. John Borman

with LLG wrote that letter to Mr. Dubose who's involved in this project but Mr. Borman did not know when he wrote that letter for Mr. Dubose that his partner Mr. Linguist, was working for MR. Vogt who owns the property north of it and has been working for him. And Mr. Vogt had a protest letter saying he did not want the road removed. You got one partner saying it's okay to remove a road but he didn't know that his partner's client was against taking the road out. That's the kind BS you got going on here.

Chairman Schaffner, I agree there's a lot of BS going on here. Alright I got it, one side wants it and the other side doesn't want it. The only thing were voting on here today is the project merger. If they actually take the road out that's going to be the supervisors package right?

Jim Minnick, director, yes sir and there's a proposed condition on the lot merger that says..

Commissioner Roben, I have a question about all that maybe Public Works can answer this. Why was the final map approved with the parcels he's talking about with the roads removed?

Jim Minnick, director, why was it not?

Commissioner Roben, why was it approved? The final map for this other project was not approved unless they put Stefani road in? Why is there a double standard there for one project and not another? It doesn't seem like they're giving the same.

Jim Minnick, director, As Mr. Menvielle said when they made some of their proposed changes to their map in 2007 that went through what's called a map modification to the Board of Supervisors. Those people who are familiar with the timing of maps and the length of which we have or the life of the map will know that the porkchop along with the Menvielle map to the north were running out of time. There was no time to go through the process to do an amendment. So it was either lose the map or record the map. Both properties had no additional changes last year when the maps were recorded. Short of that, these maps would've been expired. Just like a lot of the remainder lots on the east and the west that did not make it through the original process. Keep in mind that maps generally have a 15 year life span. These maps started in 1990 they were last re-approved on January 19th, 1999. That is 23 years ago when these guys finally finished. There was some state intervention there was a lawsuit there's a lot of different things that kept them alive. But at the end of the day the last maps were recorded in gateway were done as expeditiously as we can and what was with the tentative maps. So if the owner of this map had another year to go through the process I would assume they would have done a map amendment at the board of supervisors just like the Menvielle's did in 2007 requesting the removal of Stefani road. Instead they recorded the map and now they're going to do that. Same thing is applicable to the Menvielle map cause on the north end of Menvielle map, the Menvielle's still own because the south half they sold to Mr. Vogt. The north half has 9 parcels. At one point during the final stages of getting that map recorded there was a question whether to merge those parcels as part of the final map. There was no time so they have 9 parcels in the north. Mr. Vogt is going to have to come back in if he chooses to exercise his option and buy the north half of the Menvielle map and change it because the configuration he wants is nothing to what we permitted. We know that he's going to have to have a meeting on that. He's going to have to go through and either do some lot mergers or do a new map to meet what he wants to do. But the option was do we try to fit in while we have life in the map or not. And just like the pork chop, the property to the north had to live with what was there in order to get the map recorded. I hope that answers your question.

Commissioner Roben: Yeah and no because the intent of the owner of this deal would sit here and before the overall deal here would be to never have Stefani road. So they always wanted it out and we hit roadblock after roadblock trying to get it out. We had plenty of time to draw the final map and record that final map but we ran into opposition at the Public Works dept. So the original guy that was there I don't remember his name he refused to allow us to submit the final map without Stefani road with no reason why.

Jim Minnick, director, But you can't submit it that way either. You actually have to go through my office, do the amendment go before the BOS, PC and CEQA process to amend a map. It doesn't go directly like you're saying to Public Works. No you did not have time to do it. It's literally the amendment to the tract map. That's a different process than. Not to say you didn't have difficulties with prior employee at Public Works who thought that every piece of information runs through him.

Chairman Schaffner, he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Medina, I have one question for Mr. Romero. Can your project with the merger and the truck stop? Can go that forward how you planned it without interfering with that road? So is it automatic elimination of that road regardless?

John P Menvielle, the question you're asking can they're truck stop go forward with that road in?

Commissioner Medina, correct

John P Menvielle, yeah they can build the truck stop. The road is what 70 feet wide and I don't know what it is 1/8 of a mile long. They build south of the road and north of the road. They can put all their facilities in the roads there. They're going to need some sort of drive through anyway to get around to get the trucks around. Put the road in. They don't want to spend their money because it's going to cost them 3 quarters of a million plus to build a road and then they think they're going to gain little ground. I don't know what the road is half an acre. A big thing there is they're basically messing everything up for their neighbors. The guy to the north which is Mike Vogt and screwing up the circulation plan.

Commissioner Roben, the question was for Mr. Romero

Chairman Schaffner, he was asking him not you

J Carlos Romero, can you repeat the question please?

Commissioner Medina, if the lot merger goes forward and you put in your truck stop as originally planned as you have it now, can your project succeed with that circulation road there?

J Carlos Romero, no it would not succeed. It is not a circulation road I already showed it to you. That's an internal road and we just allow for an easement for a utility line that's going to go through the lot and maybe access. The access is not going to be blocked. The dynamics of the truck stop is that you have maneuvering radiuses and spaces that you need that street taken out. It won't be safe to have through traffic when you having those type of maneuverings on a public street. The liability to the county would be great and to the applicant as well. So we want to reduce that liability to the county and make it practical for the movements of the trucks that are coming in, trucks are delivering the fuel for the dispenser pumps, and you need ample space for these trucks to maneuver. They are going to go to the shop and the inconvenience of having a street would not work. So to answer your question, no we can't change our layout having the street in the middle. The cost of having a street is not the issue. The cost of paving 16 acres is much greater than just the street. We are going to have to pave and grade so the cost of the street is not the issue. The practicality and the maneuverability and safety of the project is that's why

John P Menvielle, alright the truck stop will work with the road. They just got the road there. The road is necessarily going to be trucks driven around there anyway. The other thing is this final map. The final map has a road on it. Now they're trying to come back and get rid of the road on a final map. Usually you do it before you get a final map not after the fact.

Jim Minnick, director, not true.

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

Jim Minnick, Director; Stated **Agenda Item #3** stands approved by this Commission. In which the applicant or any member from the public want to appeal must done by filing the appropriate appeal in the next ten (10) days.

4. Consideration of **Reclamation Plan #22-0001 for the American Girl Mine** as submitted by Pyramid Construction & Aggregates, Inc., who proposes to continue with the existing mining operations of aggregate materials (sand and gravel) under Reclamation Plan #08-0001. Reclamation Plan #22-0001 will supersede Reclamation Plan #08-0001 for a new (10) ten year term. The property is legally described as Section 19, Township 15 South, Range 21 East, S.B.B.M. located approximately 12 miles northwest of the townsite of Winterhaven, in an unincorporated area of Imperial County; Assessor's Parcel Numbers 050-320-031-000, (3737 American Girl Road Winterhaven, CA 92227, Supervisorial District #5), [Gerardo A. Quero, Planner I at (442) 265-1748 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 the project to approach the podium.

Diana Valdez/Denise Marin, representatives, introduced themselves.

Chairman Schaffner; Asked if she had any questions or comments regarding the project, and if 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.

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

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

VI. Public Comments, NONE.

VII. Commissioner Comments, NONE.

VIII. Director Comments,

Chairman Schaffner; adjourned meeting.

IX. Adjournment: Meeting adjourned at 9:47 a.m.

Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:

Jim Minnick, Director of
Imperial County Planning Commission

Valerie Grijalva & Laryssa Alvarado PC Recording Clerks

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