
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM No. 7

- DATE:** April 15, 2009
- TO:** Local Agency Formation Commission
- FROM:** Rick Ballantyne, Executive Officer
Darrel Schmidt, Deputy Executive Officer
- SUBJECT:** Consider Approval – Request for One-Year Individual Extensions to Complete Proceedings for the following:
- A. City of Kingsburg “Kamm-Academy Northeast No. 1 Reorganization” (LAFCo File No. RO-08-4).
 - B. City of Fresno “Chestnut-Copper No. 1 Reorganization” (LAFCo File No. RO-08-1).

The above proposals were previously approved by the Commission, but have not been completed. State law requires that all reorganization proceedings shall be completed within one year of approval unless the Commission grants an extension of time prior to the expiration date. Failure to grant an extension will terminate the proceedings. LAFCo Policies, Standards and Procedures Section 315-03 allows extensions of time to be granted when the imminent need for the proposal still exists, the project is still viable, and progress is being made toward completion.

- A. City of Kingsburg “Kamm-Academy Northeast No. 1 Reorganization”. (LAFCo File No. RO-08-1).

Parties of Interest:

Sharon Anderson	Piara Ghuman
Bill & June Carender	Teddy & Mary Allen
Salvador Lopez	Roay & Berthy Baily
John & Angelita Gonzalez	Will & Barbara Busby
Caroline Perez	AKS Enterprises

Summary: This reorganization was approved by the Commission on May 7, 2008. AKS Enterprises Inc. has requested a one-year extension of time. This is the first request for an extension of time for this proposal.

Project Description: The reorganization includes annexation of 13.58 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located on the north side of E. Kamm Avenue and west of the Fourteenth Street Alignment (see map location). The Kingsburg City Council has approved development of 39 single-family residential units within the affected territory.

Reasons for Request and Actions Taken to Date:

The project proponent indicates that the project has been placed on hold due to the downturn in the economy. He did not indicate whether progress has been made in completing conditions imposed by the Commission as part of the reorganization approval or at what stage they are in with respect to completing the proposal.

The City of Kingsburg has stated that the project is still viable and that it supports approval of this extension request.

Staff Analysis: Similar to this time extension request, numerous time extension requests have been presented to the Commission in recent months indicating that the primary reason for the extension requests were due to adverse market/economic conditions currently being experienced in the housing industry. Staff also notes that an item on today’s Agenda proposes revisions to the Commission’s time extension policies which, if approved, would allow consideration of adverse market/economic conditions to be considered as justification supporting time extension requests.

Similar to other recent hardship requests, staff would support a one-year extension of time for this application, especially in light of the fact that this is the proponent’s first extension request. Additionally, if the Commission is of a mind not to allow consideration of market/economic factors, staff would recommend that no further extensions be granted unless the applicant is able to demonstrate that substantial progress toward completion has been made within the coming year.

Recommendation: Approve a one-year extension.

B. City of Fresno “Chestnut-Copper No. 1 Reorganization”. (LAFCo File No. RO-08-1).

Parties of Interest:

Granville Homes	Copper River Ranch LLC
Gregoire & Marie Cardoux	Nerses & Kenarig Cardoux
Antonio Petrosino Trustee	Leon Y & Louise K George Trustees
Norman & Pamela S. Kizirian	Consolidated Industries Inc (Land)(Imps)
William R. Taham Sr. et al, DBA Copper River Country	Consolidated Land Company
Gyda Land Company, Inc.	

Summary: This reorganization was approved by the Commission on May 7, 2008. Granville Homes has requested a one-year extension of time. This is the first request for an extension of time for this proposal.

Project Description: The reorganization includes annexation of 180.1 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located north of E. Copper Avenue and west of N. Chestnut Avenue (see map location). Residential and commercial uses are planned for the affected territory.

Reasons for Request and Actions Taken to Date: The proponent indicates that substantial progress has been made during the year and that conditions of approval are being met. The only condition which remains to be satisfied is submittal of the Master Street Address list. The proponent states that this list has been requested from the City of Fresno but has not been yet received.

Additionally, LAFCo understands that as a condition of approval of pre-zoning that the City required payment of Fire Transition Agreement fees. This condition has not yet been satisfied due to a disagreement that exists between the City and the proponent as to who is responsible for payment of such fees.

Staff Analysis:

Based upon justification provided by the proponent and City, it appears that recordation is near. The proponent and the City of Fresno are currently in discussions to satisfy a City imposed condition related to payment of Fire Transition fees. It is anticipated that the disagreement between the City and the proponent will be resolved within the next year. All other conditions appear to have been satisfied. Additionally, the City of Fresno has stated that it supports approval of this extension request. Based upon this information, it appears that progress is being made toward completion and that a one-year extension should be granted.

Recommendation: Approve a one-year extension.

The Following Have Received Copies of This Report:

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel, Baker, Manock, and Jensen
- Bernard Jimenez, Manager, Fresno County Development Services Division
- Will Kettler, Fresno County Public Works and Planning
- Chief Keith Larkin, Fresno County Fire Protection District
- David Orth, Manager, Kings River Conservation District
- David Michael, Manager, Selma-Kingsburg-Fowler County Sanitation District
- Phil Desatoff, Manager, Consolidated Irrigation District
- Keith Bergthold, Interim Planning Director, City of Fresno
- Dave Braun, Planner, City of Fresno
- Terry Schmal, Planning and Development Director, City of Kingsburg
- Jeffery T. Roberts, Granville Homes
- Piara S. Ghuman, AKS Enterprises Inc.

City of Kingsburg

Kamm-Academy Northeast No. 1 Reorganization

AKS Enterprises Inc.
Piara S. Ghuman
340 W. Hermosa Street
Lindsay, CA 93247
Phone 559-303-3359
Fax 559-562-1439
Date 03/27/09



LAFCO
Att: Rick Ballantyne
Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, California 93721

Ref: Tract # 5073, Kamm Academy Northeast No. 1 Reorganization"

Dear Sir/Madam

We would like to request for extension of 1 year on our above mentioned tract for annexation.

The project is on hold because of economy down.

Our tentative map is still active because state wide extension for one year has been granted on all the approved tentative map. Our project is also in the imminent domain of the city of Kingsburg.

A check to the value of \$ 450.00 attached to cover the extension fee.



Thanks

A handwritten signature in black ink, appearing to be "R. Ballantyne", written over a horizontal line.

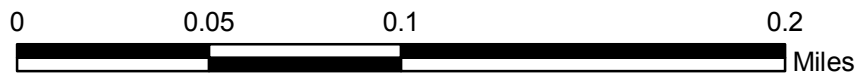
EXHIBIT "A"



Legend

-  City Limits
-  Affected Territory

City of Kingsburg "Kamm-Academy
Northeast No. 1 Reorganization"
LAFCo File No. RO-08-4



City of Fresno

Chestnut-Copper No. 1 Reorganization



Rick Ballantyne
 Executive Officer
 Fresno Local Agency Formation Commission
 2115 Kern Street
 Fresno, CA 93721

Subject: 'Chestnut-Copper No 1 Reorganization'

Dear Mr. Ballantyne

This letter is a request to extend the above referenced annexation for a one year period.

We have made substantial progress with the application. The only remaining item that needs to be delivered to you is the address list. The City of Fresno is responsible for this list, but has not of yet delivered it to me. It has been requested on several occasions.

As you are aware, your staff is in possession of all of the other necessary information, fees, etc that are required to complete the recondition of the request.

Please feel free to contact me if you have any questions.




Thank you,

Jeff Roberts
 Granville Homes

EXHIBIT "A"



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Fresno "Chestnut-Copper
No. 1 Reorganization"
LAFCo File No. RO-08-1

