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

AGENDA ITEM No. 9

DATE: December 2, 2009

TO: Local Agency Formation Commission

FROM: Rick Ballantyne, Executive Officer

SUBJECT: **Consider Approval** – Request for One-Year Extension to Complete Proceedings for the City of Orange Cove “Jacobs-Benjamin Reorganization” (LAFCo File No. RO-06-39).

Summary: The subject reorganization was approved on December 13, 2006, but has 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. This is the third request for extension. The City of Orange Cove has requested an additional one-year extension of time on behalf of the developer.

In accordance with *Fresno LAFCo Policies, Standards and Procedures* Section 315-03, extensions of time may be granted when the imminent need for the proposal still exists, the project is still viable, and progress is being made toward completion.

Project Description: This reorganization consists of annexation of 17.4 acres to the City of Orange Cove and detachment from the Orange Cove Irrigation District. The affected territory is located at the northeast corner of Jacobs and Benjamin Avenues (see attached map). An 84-lot single-family residential subdivision is planned for the site.

Reasons for Request and Actions Taken to Date: The Orange Cove City Planner has stated that there have been no land use changes within the vicinity of the project that would affect its suitability for annexation. Both the developer and City representative have indicated that adverse economic and housing market conditions serve as justification in support of the extension.

Staff Analysis: Past experience has shown that it is not uncommon for reorganizations to take longer than the initial one-year approval to be completed, and that one or more extensions of time may be required to fulfill all conditions of approval.

Additionally, in many recent cases the slowed economy has negatively affected the ability of proponents to timely complete projects. The City and developer indicate that is also the case with this proposal. The Commission's policies do allow for economic hardships to be considered as a justification for time extension requests.

Parties of Interest:

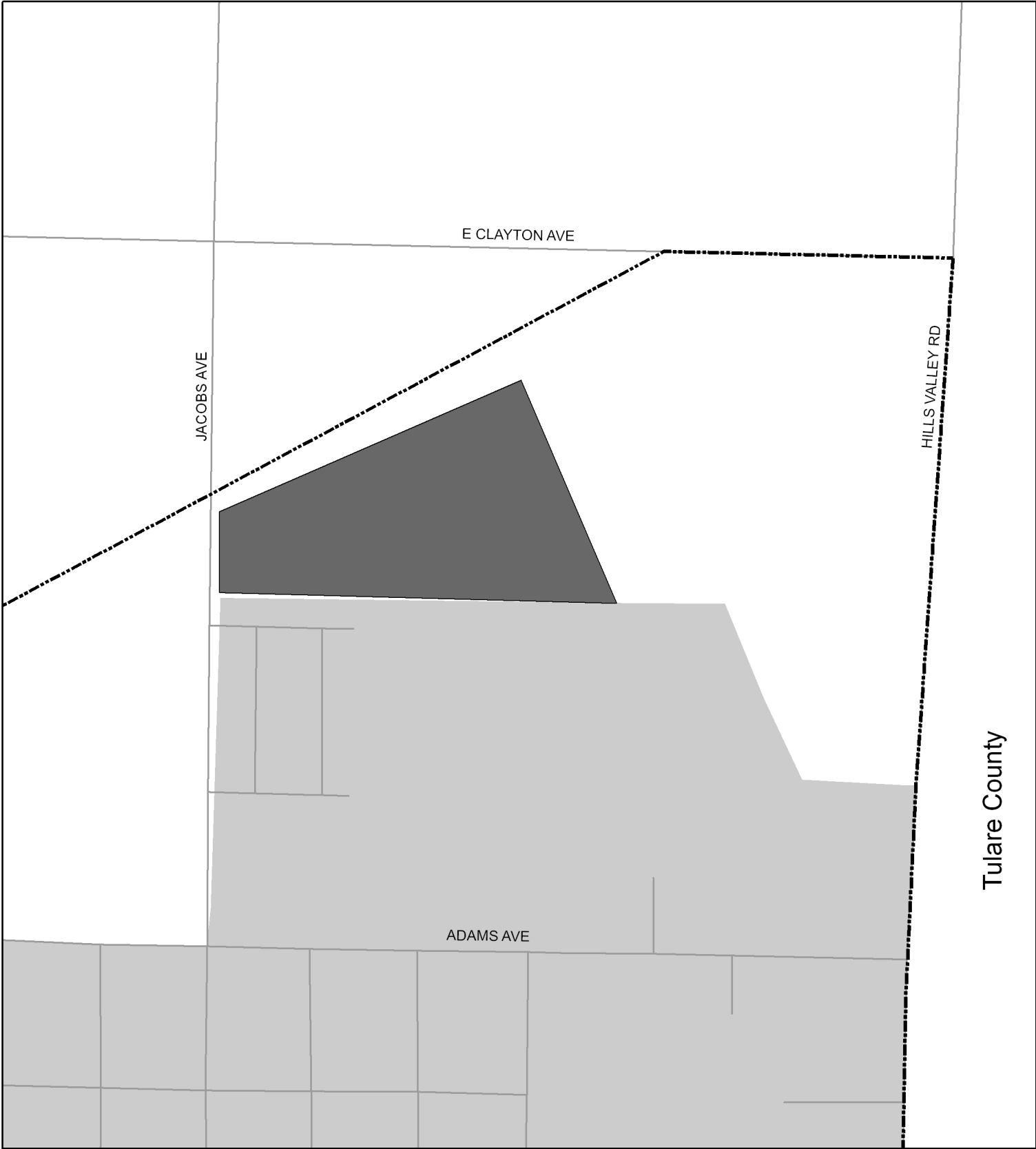
Herb Toews	Jerry Kutumian, Hye Development, LLC
June Bracamontes, City Clerk, City of Orange Cove	

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
- Fergus Morrissey, Manager, Orange Cove Irrigation District
- Herb Toews
- Jerry Kutumian
- June Bracamontes, City Clerk, City of Orange Cove
- Julian Chapa, City of Orange Cove
- Bernard Jimenez, Planning Manager, Fresno County Development Services Department
- Will Kettler, Fresno County Public Works and Planning

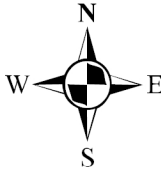
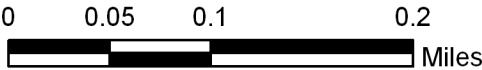
EXHIBIT "A"



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Orange Cove "Jacobs-Benjamin Reorganization"
LAFCo File No. RO-06-39



Mayor:
VICTOR P. LOPEZ

Mayor Pro Tem:
GLENDA HILL

City Council Members:
BERTHA DEL BOSQUE
GILBERT GARCIA
ESTHER GONZALEZ



City Manager:
ALAN J. BENGUEL
(559) 626-5103

Finance Director:
MANUEL SANDOVAL
(559) 626-5170

City Clerk:
JUNE V. BRACAMONTES
(559) 626-5100

Incorporated January 20, 1948

ORANGE COVE BUILDING AND PLANNING DEPARTMENT

TO: Mr. Rick Ballantyne, LAFCO
Ms. Candace Fleming, LAFCO

FROM: Julian Chapa, Consultant *JLL*

DATE: November 10, 2009

RE: "Jacobs Benjamin Reorganization"



We would like to request a one year extension of the LAFCo resolution approving the annexation request submitted by the City of Orange Cove and Developer for the above project. We have been in contact with the Developer who has indicated that they wanted to continue the annexation approval by the City and LAFCo Resolutions. The project has slowed down because of the obvious adversarial real estate market condition, Orange Cove and throughout the state. Private residential subdivision building activity in Orange Cove, has come to a standstill. We await rebound in the real estate market in order for Builders to move forward with construction of their approved subdivision Tract Maps.

We will continue to keep this project going and request an extension of the LAFCo Annexation Resolution for this Tract, in Orange Cove. Please call our offices should you have any further questions.