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

CONSENT AGENDA ITEM No. 4

DATE: May 16, 2007

TO: Local Agency Formation Commission

FROM: Rick Ballantyne, AICP, Executive Officer

SUBJECT: **Consider Approval** – Request for One-Year Individual Extensions to Complete Proceedings for the following:

- A. City of Selma “Floral-Stillman Reorganization, Annexation 2003-0023” (LAFCo File No. RO-05-7)
- B. City of Sanger “Reorganization No. 05-02 (Sierra Vista Annexation)” (LAFCo File No. RO-06-16)
- C. City of Sanger “Indianola-California No. 1 Reorganization” (LAFCo File No. RO-06-17)

Summary:

The above reorganization proposals will expire prior to the June 13, 2007 LAFCo hearing if not extended. The City of Selma is requesting a one-year extension to complete proceedings for the “Floral-Stillman Reorganization, Annexation 2003-0023”. The City of Sanger is requesting one-year extensions for “Reorganization No. 05-02 (Sierra Vista Annexation)” and “Indianola-California No. 1 Reorganization”.

The above City of Selma reorganization was approved by the Commission on May 18, 2005 and the City of Sanger reorganizations on June 7, 2006. All three have yet to be completed (recorded). State law requires that all 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 towards completion.

A. City of Selma “Floral-Stillman Reorganization, Annexation 2003-0023”

Project Description: This reorganization consists of the annexation of approximately 39.47 acres to the City of Selma 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 generally located south of Floral Avenue and west of State Route 99 (see map).

Background: On January 18, 2005, the City of Selma approved an application by Wal-Mart Stores, Inc. to allow development of a Wal-Mart Super Center. The City certified an Environmental Impact Report for said project. The project required, among other things, the annexation of the subject property to the City of Selma. The reorganization was considered by and approved by LAFCo on May 18, 2005. This is the second request for an extension of time for this application.

Reasons for Request and Actions Taken to Date: Last year, staff reported that a Petition for Writ of Mandamus was filed by the “Save Our Selma” Coalition seeking a court order to set aside Selma’s approval of their certification of the Environmental Impact Report (EIR) for the project. An amended petition was later filed and went to trial May 2, 2006, but the court was to issue its decision at a later date.

Neal Costanzo, attorney for the City of Selma, reports that the court has directed the City of Selma to prepare, circulate, and certify a revised EIR that addresses issues that were omitted from the original EIR (see attached letter). The revised EIR is expected to be completed towards the end of 2007. Mr. Costanzo said the project remains viable and there are no changes to the project.

Recommendation: Approve a one-year extension

Interested Parties:

Darlene Flint	Ronald Marashian
Ronald & Jane Marashian	Bill & Patricia Kasababian
Todd Waltzer, PE Wal-Mart Stores Inc.	Anthony Farmand, CEI Engineering

B. City of Sanger “Reorganization No. 05-02 (Sierra Vista Annexation)”

Project Description: The project consists of the annexation of 81.14 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory generally located at the southeast corner of E. Annadale and S. Indianola Avenues (see map).

Background: On June 7, 2006, the Commission approved the “Reorganization No. 05-02 (Sierra Vista Annexation)” with conditions. This is the first request for an extension of time for this application.

Reasons for Request and Actions Taken to Date: The City of Sanger reports that the developer (DR Horton) has resolved several major public facility issues, including the design of a major sewer trunk line to be constructed in North Avenue, and the location of a regional storm water basin south of North Avenue. Improvement drawings and the final map are now near completion and acceptance by the City Council is expected within the next 90-120 days. The site remains a high priority for the City for annexation and would be the first major project within the City’s West Sanger Master Plan.

Recommendation: Approve a one-year extension

Interested Parties:

DR Horton	
-----------	--

C. City of Sanger “Indianola-California No. 1 Reorganization”

Project Description: The reorganization consists of the annexation of 70 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory generally located at the southeast corner of S. Indianola and E. California Avenues.

Background: On June 7, 2006, the Commission approved the “Indianola-California No. 1 Reorganization” with conditions. This is the first request for an extension of time for this application.

Reasons for Request and Actions Taken to Date: In the past year the developer (RZR Enterprises, LLC) has resolved major public facility issues, including design of required sewer and water line extensions; improvement drawings and the final map are now being completed and acceptance by the City Council is expected within the next 180 days. The site remains a high priority for the City for annexation as the project would complete infrastructure and the development pattern east of Indianola Avenue between Jensen and the California alignment.

Recommendation: Approve a one-year extension

Interested Parties

Rauf Gajani, RZR Enterprises, LLC	
-----------------------------------	--

The Following Have Received Copies of This Report:

- LAFCo Commissioners and Alternates
- Ken Price, Baker, Manock, and Jensen
- Bruce O’Neal, Contract Planner, City of Sanger
- Will Washburn, Provost & Pritchard
- Mike Gaston, Director, Community Development Department, City of Selma
- Anthony Farmand, CEI Engineering
- Todd Waltzer, PE, Walmart Stores, Inc.
- Tim Chapa, Director, Development Services Department, City of Sanger
- Jim Drinkhouse, City Manager, City of Sanger
- DR Horton
- Bernard Jimenez, Planning Manager, Development Services Department
- Margie McHenry, Public Works and Planning
- Keith Larkin, Chief, Fresno County Fire Protection District
- David Orth, Kings River Conservation District
- Selma-Kingsburg-Fowler County Sanitation District
- Mark Gilkey, Consolidated Irrigation District