

---

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

---

CONSENT AGENDA ITEM No. 5B

**DATE:** September 9, 2015

**TO:** Fresno Local Agency Formation Commission

**FROM:** David E. Fey, AICP, Executive Officer 

**SUBJECT: Consider Approval: City of Sanger "Indianola-North Reorganization."** A reorganization to annex 81.57 acres to the City of Sanger and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located at the northeast corner of Indianola and North Avenues (LAFCo File No. RO-15-4). **(Continued from July 8, 2015 and August 12, 2015)**

**Applicant:** City of Sanger

**Land Owners/Parties of Real Interest:**

D.R. Horton\*                      City of Sanger\*

**RECOMMENDATION:** Continue to date uncertain and terminate reorganization proceedings if not scheduled for hearing within one year of today's date.

**Background**

On May 7, 2015, the City of Sanger initiated these proceedings with the adoption of Resolution No. 4549, requesting that the Commission begin proceedings for the "Indianola-North Reorganization" to annex 81.57 acres to the City of Sanger and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District. The proposal has been continued twice from the July 8, 2015 and August 12, 2015 hearings in order to allow time for the City of Sanger to resolve a last minute water supply issue raised by the State Water Resources Control Board. This issue has since been resolved. Staff now understands that the developer has determined due to market conditions that the subject reorganization is not viable at this time and has requested that the item be continued until market conditions improve. Staff also understands that the potential delay could be for a substantial time, perhaps several years.

LAFCo law states that the original hearing date "may be continued from time to time but not to exceed 70 days from the date specified in the original notice." (Gov. Code §56666.) Although the time period for consideration of this item would have exceeded 70 days, LAFCo law states that such time period is directory, rather than mandatory, because it does not specifically relate to public notice of the hearing. Any continued hearing would be re-noticed.

Staff recommends that the proceedings be continued to a date uncertain but no later than twelve (12) months from the date of this hearing at which point the proceedings will be deemed terminated. This affords the developer a reasonable opportunity to fine-tune the project and reinitiate the proposal should market conditions improve. However, more of a delay will impact the proposal's administrative record, and certain documents, including but not limited to the City's CEQA findings, service plan, and other data, will likely need updating.

DEF:cf