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

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**CONSENT AGENDA ITEM No. 5B**

**DATE:** November 5, 2014

**TO:** Local Agency Formation Commission

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

**SUBJECT:** Consider Approval – Request for One-Year Extension to Complete Proceedings for the City of Sanger “Annexation 06-03 – Greenwood Estates” Reorganization (LAFCo File No. RO-07-22) (Sixth Request)

**Recommendation:**

Approve a one-year extension of time.

**Background**

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.

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. The Commission's Policies further state that the Commission may consider economic hardships beyond the control of the proponents as justification supporting the extension request.

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.

LAFCo's Policies, Standards, and procedures require that a fire transition agreement be in place between a city and the fire district in order for the Executive Officer to issue a certificate of filing for a proposal. At the time this proposal was filed and heard by the Commission, there was a fire transition agreement in place; however, the agreement has since expired.

**Parties of Interest**

NUS Land Fund (Paul Wagner)	City of Sanger
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**Summary**

The subject reorganization was approved on November 7, 2007, but has not been completed. Keith Woodcock, Sanger City Planner, has requested a one-year extension. This is the sixth request for extension.

## **Project Description**

The reorganization consists of the annexation of 29.69 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. A 143-lot single-family residential subdivision is planned for the site. The affected territory is located at the southwest corner of E. North and S. Greenwood Avenues.

## **Reasons for Request and Actions Taken to Date**

Sanger City Planner Keith Woodcock submitted a request for a one-year extension for the proposal. In his letter he stated that the developers have been active in pursuing the project and meeting LAFCo's Conditions of Approval. A Final Map has been filed with the City which is currently under review.

## **Staff Analysis**

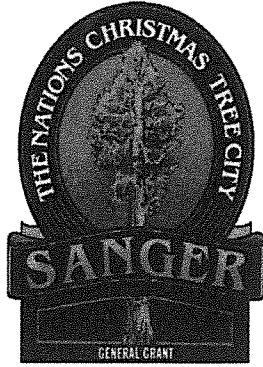
The slowed economy has negatively affected the ability of proponents to complete projects timely which had been the case with his proposal. The Commission's policies do allow for economic hardships to be considered as a justification for time extension requests.

City of Sanger representatives have indicated that there have been no changes or circumstances in the vicinity of the affected territory that could affect its suitability for annexation. The City of Sanger is currently in negotiations with the District to replace the fire transition agreement that has recently expired. It is anticipated that an agreement will not be reached prior to the expiration of this proposal and therefore has requested a one-year extension.

Staff believes that circumstances beyond the control of the City and the proponent (including economic hardships due to the current economic conditions) have caused a delay in completing this reorganization. The City has stated that this project is still viable and supports the extension. Staff supports the extension request.

## **The Following Have Received Copies of This Report**

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel, Baker, Manock, and Jensen
- Will Kettler, Planning Manager, Fresno County Public Works and Planning
- Brian Haddix, City Manager, City of Sanger
- Keith Woodcock, City Planner, City of Sanger
- Paul Wagner, NUS Land Fund
- David Orth, Kings River Conservation District
- Mark Johnson, Chief, Fresno County Fire Protection District
- Andy Cosentino, Fresno County Fire Protection District
- Ray Franklin, Fresno County Fire Protection District
- Phil Desatoff, Manager, Consolidated Irrigation District



# CITY OF SANGER

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October 24, 2014

Mr. David E. Fey, AICP  
Fresno LAFCo  
2607 Fresno Street, Suite B  
Fresno, CA 93721

Subject: Annexation Application No. 06-03 - Greenwood Estates  
Request for One-year Time Extension

Dear Mr. Fey:

The City of Sanger requests that a one-year time extension be granted for Annexation Application No. 06-03 – Greenwood Estates. The developers have been active in pursuing the project and meeting LAFCo's Conditions of Approval as described below:

As required by Condition of Approval No. 1, the Development Agreement is in process. It does include the Right-to-Farm Covenant. The City warrants that the Development Agreement will be recorded with the Final Map.

Regarding Condition No. 2, a Final Map application has been filed with the City which now under review.

The Annexation Application does include the full rights-of-way of adjacent roadways, satisfying Condition No. 3

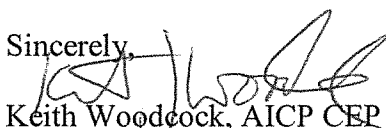
Condition No. 4 requires an Indemnification Agreement with Fresno County LAFCo. This has not yet been completed. The City looks forward to receiving the Agreement from LAFCo.

Not stated as a condition, but is necessary for the completion of the annexation, is the Fire Transition Agreement with Fresno County Fire Protection District. The City is in negotiations with the District to replace the agreement that has recently expired.

Because of the length of time necessary to complete the Indemnification Agreement and the Transition Agreement, it is necessary to request the one-year time extension.

Please contact me with any questions or comments regarding this process. Thank you for your consideration.

Sincerely,

  
Keith Woodcock, AICP CEP  
City Planner