

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

AGENDA ITEM No. 9

DATE: June 3, 2015
TO: Local Agency Formation Commission
FROM: David E. Fey, AICP, Executive Officer 
SUBJECT: Request for Special Meeting in July

RECOMMENDATION:

Consider the request and take appropriate action; if the Commission elects to hold a special meeting, staff recommends July 8th at 1:30 p.m., subject to conditions described in this report.

Background

The Commission amended its 2015 meeting calendar at its May, 2015, meeting, which included cancelling a July meeting and moving the regular meeting time from 10:00 a.m. to 1:30 p.m. Mr. John Bonadelle has since requested that the Commission hold a special meeting in July, 2015.

LAFCo Notice of Proceedings

Mr. Bonadelle has submitted an application for annexation of property at Locan and Fedora in the City of Fresno's Southeast Growth Area (SEGA). This application is not complete and Mr. Bonadelle and his consultant Mr. Dirk Poeschel were provided a list in April of materials and information necessary to complete the application.

Pursuant to GC §56020.6, a "Certificate of filing" is the document issued by the executive officer that confirms an application for a reorganization is complete and is accepted for filing. Commission proceedings shall be deemed initiated on the date a certificate of filing is issued by the executive officer. (GC §56651)

Pursuant to GC §56658(h) Following the issuance of the certificate of filing, the executive officer sets the proposal for hearing and give published notice thereof. The date of the hearing shall be not more than 90 days after the certificate of filing is issued.

The notice of the hearing is dependent on the certificate of filing which itself declares that the application is complete; in other words without a complete application, there is no Commission proceeding to notice.

If the Commission elects to hold a special meeting, staff recommends July 8th at 1:30 p.m., said meeting will be noticed June 15, 2015 in the Fresno Business Journal. This notice is conveyed to the newspaper in advance of publication on June 11, 2015 by 11:00 a.m. Staff will need to review

any application materials submitted prior to that time to verify that they are complete and support the issuance of a certificate of filing.

Therefore, staff recommends that the Commission's affirmative action on the request for a July 8, 2015, special meeting be conditioned on a certificate of filing issued no later than 10:50 a.m. on June 11, 2015.

In the event that the certificate of filing is not issued by this time, the special meeting will not be held.



May 12, 2015

Mr. David Fey
Executive Director
Fresno County LAFCo
2607 Fresno St., Suite B
Fresno, CA 93721

SUBJECT: Special Meeting Request-Locan-Fedora Northeast Annexation/Bonadelle
Neighborhoods

Dear Mr. Fey,

Reference is made to the Locan-Fedora Northeast Annexation that my firm is processing to annex 24.71+/- acres into the City of Fresno. Based on my recent conversation with you, I understand that your commission will not hold a meeting in July. I respectfully ask that your commission hold a special meeting for the purpose of discussing the subject annexation in July. I believe there is substantial justification for my request.

My firm purchased the property approximately 10 years ago with the understanding that development of the area inclusive of the subject site would be eminent. All the required land use entitlements for the project have been granted such that further delays, particularly those that I cannot control, would cause an unwarranted financial hardship to our firm and more importantly to our employees and our customers.

Thank you and your commission for considering this important request which would not be made if it were not imperative the subject site be annexed in a timely manner.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Bonadelle", is written over a horizontal line.

Mr. John Bonadelle, President
Bonadelle Neighborhoods, Inc.