
NEW BUSINESS

**ITEM C-5:
Request for Water and Sewer Services
Outside City Boundaries**

DATE SUBMITTED 02/13/15
 SUBMITTED BY PLANNING
DIRECTOR
 DATE ACTION REQUIRED 02/18/15

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: WATER AND SEWER SERVICES TO PROPERTY
 OUTSIDE CITY BOUNDARIES
 1. APPROVE EXTENSION OF WATER AND SEWER SERVICE TO APN
 044-200-079 AND APN 044-200-080

DEPARTMENT INVOLVED: PLANNING

BACKGROUND/SUMMARY:

Mr. Justo Felix is proposing to operate a truck parking business on Clark Road just outside of the City boundaries (north of B&L Towing and west of the Bratton Subdivision). There are currently no water and sewer services on the site and Mr. Felix is requesting the ability to connect to the City's systems. Mr. Felix began construction and use of the truck parking without the required permits from the County of Imperial. Mr. Felix discussed other possible uses on the site which may not be consistent with the City's Land Use Plan.

FISCAL IMPACT: F.O. INITIALS: _____

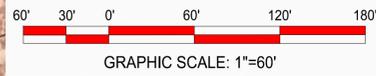
STAFF RECOMMENDATION:

Staff recommends that the Council approve the extension of water and sewer service provided that the cost of extension be borne solely by the applicant and that any improvements associated with the proposed and future uses be consistent with City standards and regulations.

MANAGER'S RECOMMENDATION: MANAGER'S INITIALS

MOTION:

SECONDED: APPROVED () REJECTED ()
 AYES: DISAPPROVED () DEFERRED ()
 NAYES:
 ABSENT: REFERRED TO:



NOTE:
PHOTOGRAPHIC BACKGROUND
IS FOR REFERENCE ONLY.
SCALE IS APPROXIMATE .

LEGEND

- CITY LIMITS
- STREET RIGHT OF WAY
- EXISTING SEWER LINE
- EXISTING WATERLINE
- EXISTING MANHOLE

NO.	REVISIONS:	APPROVED	DATE

UNAUTHORIZED CHANGES & USES: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.



CITY OF IMPERIAL
420 South Imperial Avenue
Imperial, CA 92251
Ph: (760) 355-3840 • Fax: (760)355-4718

PLANNING AND DEVELOPMENT DEPARTMENT
EXHIBIT "A"
TO TRUCKING CORP
APN 044-200-079 & 80
DATE: 02/09/2015

SHEET
1
OF **1** SHEET(S)

RECEIVED
FEB 06 2015
Imperial County
LOCAL AGENCY FORMATION COMMISSION

APPLICATION

PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Local Agency Formation Commission of Imperial County for approval of a proposed change of organization, and stipulate(s) as follows:

OWNER INFORMATION	
NAME Justo P. Felix	COMPANY TO Transport Corp.
MAILING ADDRESS 253 Whorrie Rd.	TELEPHONE NUMBER 760 600 4083
CITY, STATE, ZIP El Centro, CA 92243	EMAIL ADDRESS totransportcorp@gmail.com
APPLICANT INFORMATION (IF DIFFERENT FROM THE OWNER)	
NAME	COMPANY
MAILING ADDRESS	TELEPHONE NUMBER
CITY, STATE, ZIP	EMAIL ADDRESS
PROJECT INFORMATION	
NAME OF PROPOSAL	DATE 2-6-15
PROJECT ADDRESS Clark and Aten	APN(S) 044-200-080 and 79
CITY, STATE, ZIP Imperial	TOTAL LAND AREA (ACRES) 5 Acres
THIS PROPOSAL IS MADE PURSUANT TO CALIFORNIA GOVERNMENT CODE (COMMENCING WITH SECTION 56000, CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000).	
1	PROPOSED CHANGE(S) OF ORGANIZATION: <input type="checkbox"/> ANNEXATION <input type="checkbox"/> SPHERE OF INFLUENCE <input type="checkbox"/> OTHER <input type="checkbox"/> DETACHMENT <input type="checkbox"/> CONSOLIDATION <input checked="" type="checkbox"/> EXTENSION OF SERVICES <input type="checkbox"/> INCORPORATION <input type="checkbox"/> FORMATION OF _____
2	NAME OF THE CITY/SPECIAL DISTRICT BEING AFFECTED County of Imperial.
3	THE PROPOSED BOUNDARIES OF THE TERRITORY(IES) INCLUDED IN THE PROPOSAL ARE AS DESCRIBED IN THE EXHIBIT(S) ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN. <input type="checkbox"/> YES, BOUNDARY EXHIBITS ARE ATTACHED

4	PLEASE LIST ANY OTHER DOCUMENTS BEING SUBMITTED WITH THE APPLICATION (EXCEPT THOSE ALREADY REQUIRED BY LAFCO).
5	THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input checked="" type="checkbox"/> UNINHABITED <input type="checkbox"/> INHABITED (12 OR MORE REGISTERED VOTERS)
6	CURRENTLY, THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input type="checkbox"/> DEVELOPED <input checked="" type="checkbox"/> UNDEVELOPED
7	IS THIS PROPOSAL CONSISTENT WITH THE SPHERE OF INFLUENCE OF THE AFFECTED CITY AND/OR DISTRICT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
8	PLEASE DESCRIBE IN DETAIL, THE REASONS FOR THE PROPOSED CHANGE OF ORGANIZATION (ANNEXATION, DETACHMENT, ETC.). USE ATTACHED SHEET IF NECESSARY. <i>Water for office. Sewer for office.</i>
9	THE PROPOSED CHANGE OF ORGANIZATION IS REQUESTED, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
10	WOULD THIS PROPOSAL CREATE AN ISLAND OF UNINCORPORATED TERRITORY? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE EXPLAIN.
11	IS THERE A GOOD LIKELIHOOD OF A SIGNIFICANT INCREASE IN POPULATION IN THE SUBJECT AREA WITHIN THE NEXT TEN YEARS? IN UNINCORPORATED AREAS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IN INCORPORATED AREAS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ESTIMATED ADDITIONAL POPULATION: _____
12	WHAT IS THE EXISTING ZONING? <i>Industrial</i> WHAT IS THE PROPOSED ZONING? <i>Industrial</i>
13	HAS OR IS THE AREA BEEN/BEING PRE-ZONED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO WHAT IS THE PRE-ZONING CLASSIFICATION? _____ WHAT DATE WAS THIS PRE-ZONED? _____

14	WHAT IS THE PLANNED GENERAL PLAN DESIGNATION OF THE AREA BY THE AFFECTED CITY? <hr/> <hr/>
15	DESCRIBE ANY SPECIAL LAND USE CONCERNS EXPRESSED IN THE ABOVE PLANS. <hr/> <hr/>
16	SPECIFY ANY AND ALL EXISTING LAND USES. <hr/> <hr/> WHAT ARE THE PROPOSED LAND USES? <i>build trailer office</i> DESCRIBE YOUR PROJECT IN DETAIL: <hr/> <hr/>
17	DOES THE APPLICATION CONTAIN 100% WRITTEN CONSENT OF EACH PROPERTY OWNER IN THE SUBJECT TERRITORY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
18	WILL THE ANNEXED TERRITORY BE LIABLE FOR ITS SHARE OF EXISTING BONDED INDEBTEDNESS? <input type="checkbox"/> YES <input type="checkbox"/> NO
19	WILL THE ANNEXED TERRITORY BE INCLUDED WITHIN ANY PARTICULAR TAX DIVISION OR ZONE OF THE ANNEXING TERRITORY? PLEASE SPECIFY. <hr/> <hr/>
20	IF THE PROPOSAL INCLUDES THE CONSOLIDATION OF SPECIAL DISTRICTS, THE PROPOSED NAME OF THE CONSOLIDATED DISTRICT IS: <hr/> <hr/>
21	IF AN INCORPORATION IS INCLUDED IN THE PROPOSAL: (A) THE NAME PROPOSED FOR THE NEW CITY IS: <hr/> (B) PROVISIONS ARE REQUESTED FOR APPOINTMENT OF: (I) CITY MANAGER <input type="checkbox"/> YES <input type="checkbox"/> NO (II) THE CITY CLERK AND CITY TREASURER <input type="checkbox"/> YES <input type="checkbox"/> NO

NOTICE:

*Prior to the effective date of any jurisdictional change (i.e. annexation, detachment, etc.) the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change shall meet to determine the amount of property tax revenues to be exchanged between and among such affected agencies. Notwithstanding any other provisions of law, no such jurisdictional change shall become effective until each county and city included in such negotiation agrees, **BY RESOLUTION**, to accept the negotiated exchange of property tax revenues.*

NOTE:

The resolutions referred to above shall be attached to this application prior to filing with the Local Agency Formation Commission. The Executive Officer of the Local Agency Formation Commission shall not issue a Certificate of Completion (COC) until such resolution is filed with LAFCO.

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signature(s) as follows:

Chief Petitioners (not to exceed three):

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

FOR LAFCO USE ONLY

APPLICATION RECEIVED BY

DATE RECEIVED

CHECK THE DOCUMENTS SUBMITTED WITH THE APPLICATION:

- | | |
|--|---|
| <input type="checkbox"/> DEPOSIT | <input type="checkbox"/> LEGAL DESCRIPTION |
| <input type="checkbox"/> INDEMNIFICATION AGREEMENT | <input type="checkbox"/> ANNEXATION MAP (10 COPIES) |

PROJECT NO. ASSIGNED

DATE ACCEPTED

INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Executive Officer shall promptly notify the Commission of any claim, action or proceeding brought by an applicant challenging the Commission's action. The Commission, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.

2. The Commission shall have final determination on how to best defend the case and may defend it with in-house counsel, or by retaining outside counsel. In either case applicant shall be fully responsible for all costs incurred. Applicant may request to provide his or her own counsel to defend the case, however prior written approval of the Commission shall be obtained. Said independent counsel shall work with LAFCO counsel to provide a joint defense and shall include a complete defense of LAFCO to the satisfaction of the Commission.

EXECUTED IN El Centro CALIFORNIA ON Feb. 6, 2015
(CITY) (MONTH) (DAY) (YEAR)

APPLICANT

NAME (PRINT): Justo P. Felix
 TITLE: Owner
 SIGNATURE: _____
 MAILING ADDRESS:
253 W Horne Rd. El Centro,
CA 92243

REAL PARTY IN INTEREST / PROPERTY OWNER
(IF DIFFERENT FROM APPLICANT)

NAME (PRINT): _____
 TITLE: _____
 SIGNATURE: _____
 MAILING ADDRESS:

FOR LAFCO USE ONLY

RECEIVED BY: _____

DATE RECEIVED: _____

PROJECT NO. _____

