

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MARCH 23, 2016

REGULAR MEETING

TO: Ken Humphreys, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #4D: REQUEST FOR TIME EXTENSION – MALCOLM DIXON
ESTATES REORGANIZATION TO THE EL DORADO
IRRIGATION DISTRICT AND THE EL DORADO HILLS
COUNTY WATER DISTRICT

LAFCO Project No. 2013-01

PROPONENTS: Diamante Development, LLC and Christopher LaBarbera

AGENT: Olga Sciorelli, CTA Engineering and Land Surveying

RECOMMENDATION

Staff recommends that the Commission consider a second one-year extension request for the Malcolm Dixon Estates Reorganization into the El Dorado Irrigation District (EID) and the El Dorado Hills County Water District (EDH Fire), to give the project proponents additional time to comply with the Commission's conditions of approval. The current deadline expires March 26, 2016; the time extension would be effective until March 26, 2017.

REASON FOR RECOMMENDED ACTION

Per Government Code §57001, if a certificate of completion is not recorded for a project within one year of Commission approval, the project shall be terminated unless the Commission grants an extension. The extension may be for any period deemed reasonable to the Commission for completion of necessary prerequisite actions by any party. The certificate of completion cannot be recorded until all conditions of approval have been met.

BACKGROUND

The Commission conditionally approved the Malcolm Dixon Estates Reorganization on March 26, 2014, with a standard one-year deadline to complete all required conditions by March 26, 2015. At the request of the applicant, the Commission granted a one-year extension to the project in March 2015 to allow additional time to comply with the conditions of approval. The current extension is scheduled to expire on March 26, 2016. The following conditions remain outstanding for this project:

- 1) *Authorization from the United States Bureau of Reclamation (USBR) to approve the inclusion request for the project area* – Because the project is within EID's El Dorado Hills Service Area, USBR is required to verify that water resources are available from Folsom Lake for this project. For past annexation projects USBR signoff has been known to take up to two years to receive; the EID Board just recently approved the annexation on February 22, 2016, which needs to occur before the paperwork can be sent to USBR. According to EID staff, the inclusion request packet is expected to be sent to USBR shortly, after the applicant pays the EID impact fees.
- 2) *Payment of State Board of Equalization (SBE) fees* – The SBE fees for this project are \$800. The applicants cannot submit payment for these fees until after the USBR inclusion approval letter is received because SBE will not accept checks issued more than 30 days prior.

Given the status of the USBR inclusion request, it is not possible for the above conditions to be completed by March 26, 2016. If the Commission denies the extension request, the reorganization will be terminated; the applicants would be eligible to reapply for reorganization one year after this date; however, the process would start over from the beginning.