

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF FEBRUARY 27, 2013

REGULAR MEETING

TO: Ron Briggs, Chairman, 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 #4I: PUBLIC HEARING TO CONSIDER A THIRD ONE-YEAR TIME
EXTENSION FOR COMPLETION OF CONDITIONS:
CLARKSVILLE BUSINESS PARK ANNEXATION TO THE EL
DORADO IRRIGATION DISTRICT

LAFCO Project No. 2009-01

PROPONENT(S): Clarksville Professional Business Park, LLC
Jill Todd, Member Representative

RECOMMENDATION

Staff requests that the Commission grant a third one-year extension for the Clarksville Business Park Annexation to the El Dorado Irrigation District (EID), so that the project proponents may have additional time to comply with the Commission's conditions of approval. The current deadline expires March 24, 2013; the time extension would be effective until March 24, 2014.

REASON FOR RECOMMENDED ACTION

Pursuant to Government Code §57001, a petition shall be deemed terminated if a certificate of completion has not been recorded within one year of the Commission's approval of the project, unless the Commission grants an extension. Staff cannot record the certificate of completion for this project until after all conditions of approval have been met, including payment of EID annexation fees.

Government Code §57001 also gives the Commission discretion to grant an extension for, "*any period deemed reasonable to the commission for completion of necessary prerequisite actions by any party.*"

BACKGROUND

The Commission conditionally approved the Clarksville Business Park annexation to EID on March 24, 2010, with a one-year deadline to complete all required conditions. At the request of the applicant, the Commission granted two one-year extensions to the project in March 2011 and February 2012, to allow additional time to comply with the conditions of approval. This current extension is scheduled to expire on March 24, 2013.

The final outstanding conditions on this proposal are 1) payment of the EID annexation fees, and 2) payment of State Board of Equalization (SBE) fees.

- 1) *Verification from EID that the District's annexation fees have been paid* – The project proponents are responsible for payment of all District annexation fees. EID staff will notify LAFCO once this condition has been completed.
- 2) *Payment of State Board of Equalization (SBE) fees* – The SBE fees for this project are \$800; however because SBE will not accept checks issued more than 30 days prior, LAFCO staff has instructed the applicant not to submit payment for these fees until after EID has verified payment of all District annexation fees. In terms of delaying the project and requiring additional time, this is the lesser of the three outstanding conditions and staff presumes that payment of these fees will not be an impediment to finalizing the project.

If the Commission were to deny the extension request and LAFCO did not receive the above items by March 24, 2013, the annexation would be deemed terminated. The proponents would be eligible to reapply for annexation one year after this date; however the process would start from the beginning.