

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF AUGUST 22, 2012

REGULAR MEETING

TO: Ron Briggs, 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 #4F: El Dorado Union High School District Annexation to the El
Dorado Irrigation District – Request for a Second Extension
of the One Year Deadline for Meeting of Conditions of
Approval

LAFCO Project No. 2009-09

PROPONENT(S): El Dorado Union High School District

RECOMMENDATION

Staff requests that the Commission grant a second one-year extension for the El Dorado Union High School District (EDUHSD) annexation to the El Dorado Irrigation District (EID), so that the school district may have additional time to comply with the Commission's conditions of approval. The current deadline expires October 27, 2012; the time extension would be effective until October 27, 2013.

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 attainment of an inclusion letter from the United States Bureau of Reclamation (USBR).

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 EDUHSD annexation to EID on October 27, 2010, with a one-year deadline to complete all required conditions. At the request of the applicant, the Commission granted a one-year extension to the project in October 2011 to allow additional time to comply with the conditions of approval. This current extension is scheduled to expire on October 27, 2012.

Circumstances Surrounding the Outstanding Conditions of Approval

The final two outstanding conditions on this proposal are 1) authorization from USBR to approve the inclusion request for the annexation area, and 2) payment of State Board of Equalization fees.

- 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. According to USBR staff the inclusion process is in progress and is expected to be completed soon.
- 2) *Payment of State Board of Equalization (SBE) fees* – The SBE fees for this project are \$2,000; however because SBE will not accept checks issued more than 30 days prior, LAFCO staff has instructed the school district not to submit payment for these fees until after the USBR inclusion request has been received. In terms of delaying the project and requiring additional time, this is the lesser of the two 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 USBR's inclusion letter by October 27, 2012, the annexation would be deemed terminated. The school district would be eligible to reapply for annexation one year after this date; however the process would start from the beginning.