

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF JANUARY 24, 2007*

### *REGULAR MEETING*

**TO:** Ted Long, 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 #2e:** Continuation of the Naef Reorganization into the El Dorado  
Irrigation District and the El Dorado Hills Community  
Services District; LAFCO Project No. 05-06

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#### **RECOMMENDATION**

Staff recommends that the Commission continue the Public Hearing for the Naef Reorganization, LAFCO Project No. 05-06, until the February 28, 2007 meeting, per State Law Notice of Public Hearing requirements.

#### **REASON FOR RECOMMENDED ACTION**

According to Government Code §56154, a Notice of Public Hearing must be published at least 21 days prior to the hearing date specified in the Notice. The Notice of Public Hearing was published in the Mountain Democrat on January 4, 2007, allowing for only 20 days notice. Section 56101 of Cortese-Knox-Hertzberg allows for the continuation of a public hearing, subject to Commission approval.

#### **BACKGROUND**

The Naef Reorganization; LAFCO Project 05-06 was originally scheduled to be heard by the Commission at the January 24, 2007 meeting. This date was set by the Certificate of Filing, which was issued on December 4, 2006. The standard procedure for LAFCO staff is to send the Notice of Public Hearing to the Mountain Democrat five calendar days prior to the publishing date. The Notice of Public Hearing was sent via email to the Mountain Democrat on December 29, 2006 as per past practice.

Due to the modified holiday schedule and Mountain Democrat staff error, the newspaper did not run the legal notice in the January 3, 2007 edition as requested in

the Notice. Instead, the Democrat published it the following day on January 4, 2007. Unfortunately, this does not allow for sufficient time to legally notice the project. Mountain Democrat staff has apologized for this error and has since worked with LAFCO staff to develop a new process that will prevent similar problems in the future.

Staff recommends the hearing to be continued until the February 28, 2007 meeting. LAFCO staff has notified the applicants and the appropriate agencies on this matter.