

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF FEBRUARY 25, 2015

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 #4E: 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 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), so that the project proponents may have additional time to comply with the Commission's conditions of approval. The current deadline expires March 26, 2015; the time extension would be effective until March 26, 2016.

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 MDE Reorganization March 26, 2014, with a standard one-year deadline to complete all required conditions by March 26, 2015. The following conditions for this project remain outstanding:

- 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; however, EID has not yet sent the inclusion request packet to USBR because the applicants just recently submitted the annexation application to EID in February 2015. EID staff will need to bring the annexation to the Board for approval before the paperwork can be sent.
- 2) *Indemnification Agreement* – The applicants are required to sign and return a standard agreement, indemnifying LAFCO against any legal action taken as a result of this project.
- 3) *Payment of State Board of Equalization (SBE) fees* – The SBE fees for this project are \$800; however, the applicants cannot submit payment for these fees until after the other two conditions have been met, because SBE will not accept checks issued more than 30 days prior.

If the Commission denies the extension request and the above conditions are not completed by March 26, 2015, the reorganization will be terminated. The applicants would be eligible to reapply for reorganization one year after this date; however, the process would start from the beginning.