



County of El Dorado
OFFICE OF AUDITOR-CONTROLLER

360 FAIR LANE
PLACERVILLE, CALIFORNIA 95667-4193
Phone: (530) 621-5487 Fax: (530) 295-2535

JOE HARN
Auditor-Controller

TSUNG-KUEI HSU
Assistant Auditor-Controller

April 2, 2025

Board of Supervisors
County of El Dorado
330 Fair Lane
Placerville, California 95667

RE: Authorize Auditor-Controller to Execute Contracts with Firms for the Formation of a new Community Facilities District in the Promontory Specific Plan and Approve Form of Deposit Agreement

Ladies and Gentlemen:

Recommendation:

Auditor-Controller recommends that the Board of Supervisors authorize the following:

- (1) the Auditor-Controller to negotiate and execute all necessary contracts related to the proposed new community facilities district and financing requested by AKT (the Developer) for a subdivision in the "Promontory Specific Plan" after each agreement has been approved by County Counsel and Risk Management; and
- (2) Authorize the Auditor-Controller to execute the Deposit and Reimbursement Agreement between El Dorado County and the Developer upon final approval by County Counsel and Risk Management; and
- (3) authorize the Auditor-Controller to take all necessary steps to prepare all documents required to form the CFD, as soon as practical.

Reason for Recommendation:

The Developer has requested that the County consider the formation of a public services community facilities district within the Promontory Specific Plan to fund certain infrastructure.

In order to form a district and issue bonds, an offering statement, in addition to many other legal documents, will have to be prepared. The actual amount of special taxes to be levied would be subject to a maximum stated in the CFD documentation and the actual levy would depend on revenue needed, as calculated by the County. In order to proceed with these tasks, the County must contract with a special tax counsel and other consultants.

These consulting firms will provide "special services" as described in section 3.12.230 of the County's Purchasing Ordinance and section 31000 of the Government Code, and accordingly, are exempt from any formal competitive procurement requirements.

The first step in processing this Developer's request is to contract with consultants and authorize a Deposit and Reimbursement Agreement between the County and the Developer. Pursuant to the Deposit and Reimbursement Agreement, the County will receive advances from the Developer to pay third party invoices from consultants retained by the County to assist in the formation of the district.

Fiscal Impact:

This item will have no impact on the County General Fund. All the costs will be paid from the money advanced by the Developer.

Action:

- (1) Authorize the Auditor-Controller to execute the Deposit and Reimbursement Agreement between El Dorado County and Developer in regard to the formation and possible financing of this proposed CFD upon final approval by County Counsel and Risk Management;
- (2) Make findings that services provided are eligible as a Single Source to be exempt from competitive bidding;
- (3) Authorize the Auditor-Controller to negotiate and execute agreements with consultants and lawyers after approval by Risk Management and the County Counsel, as needed;
- (4) Authorize the Auditor-Controller to work with the Assessment & Community Facilities District Screening Committee members and contracted consultants to consider all requests by Developer and take all necessary steps to prepare all documents required to form and finance the CFD or CFDs.

Sincerely,



Joe Harn
Auditor-Controller

Cc: Tiffany Schmid, CAO