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Proposed Development Agreement Saratoga Estates BOS Agenda 9-13-16

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Mon, Sep 12, 2016 at 2:56 PM

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Dear Board Members,

I have some concerns about this Development Agreement (DA).

I am concerned with paragraph 3.4 TIM Fee Credit Reimbursement. I am concerned that this paragraph could be at odds with our reimbursement agreements with other developers in El Dorado Hills. I believe that David Livingston has draft language that would resolve my concern.

I am concerned with paragraph 3.8 Public Financing. I am concerned that this paragraph could be interpreted to mean that the County must provide Mello Roos financing to this Developer. I believe that this paragraph should be reworded in order to give the County clear discretion in the matter of providing public financing.

It appears that the DA provides that we will pay the developer \$5,479,000 for the construction of the Saratoga Way extension plus buy some of the road right of way. Since the Saratoga Way extension is in the TIM Fee program, as I understand it, the County would be required to pay for the Saratoga Way extension. However, because it appears that this developer will receive the benefit of a DA, it is my opinion, that it is a policy decision for your Board to determine how much reimbursement you provide this developer for this much needed improvement.

Connecting Saratoga to Iron Point will be a significant benefit to the County. Although I do have concerns regarding the draft DA, I hope the County continues to work with the developer to insure that we connect Saratoga to Iron Point.

I have not read the Fiscal Impact Analysis or Public Facilities Financing Plan for this project. Accordingly, I have no opinion on these documents.

Joe Harn
Auditor-Controller
El Dorado County