



*County of El Dorado*  
OFFICE OF AUDITOR-CONTROLLER

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BOB TOSCANO  
Assistant Auditor-Controller

October 12, 2020

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

RE: Authorize Auditor-Controller to Execute Contracts with Firms for Proposed Public Services Community Facility District Formation and Approve Form of Deposit Agreement

Ladies and Gentlemen:

**Recommendation:**

The Auditor-Controller recommends that the Board of Supervisors authorize (1) the Auditor-Controller to negotiate and execute all necessary contracts related to the proposed public services community facilities district formation and financing requested by NC Brown Development, Inc. (the Developer) for a subdivision in the "Bass Lake Hills Specific Plan" after each agreement has been approved by County Counsel and Risk Management. (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 Bass Lake Hills Specific Plan to fund ongoing maintenance to meet a condition on the Developer's approved tentative map.

In order to form a district many 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 and the consultants and approved by the County. In order to proceed with these tasks, the County must contract with a special tax counsel and a special tax consultant.

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 the consultants identified above 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.

**Action:**

Authorize the Auditor-Controller to execute the Deposit and Reimbursement Agreement between El Dorado County and Developer in regards to the formation and possible financing of this proposed CFD upon final approval by County Counsel and Risk Management;

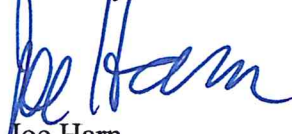
Authorize the Auditor-Controller negotiate and execute agreements with consultants and lawyers after approval by Risk Management and the County Counsel, as needed.

Authorize the Auditor-Controller to take all necessary steps to prepare all documents required to form the CFD, as soon as practical.

**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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Harn".

Joe Harn  
Auditor-Controller

cc: Don Ashton, CAO