

EDC auditor defendant in lawsuit

By Lake Tahoe News

The El Dorado Hills Community Services District has filed a lawsuit against El Dorado County Auditor Joe Harn because he did not disburse \$415,000 in development impact fees.

“Unfortunately, respondent Harn has refused to comply with, and continues to refuse to comply with, the county’s clear mandatory directive,” the suit says.



Joe Harn

Through the Mitigation Fee Act the county collects money from developers and disburses the cash to EDHCSD. The district must document how the money is spent to ensure it was done so in accordance with the law. Parks, trails, sidewalks and other infrastructure are permissible expenditures.

“The county and the CSD shouldn’t be suing each other. We should be working together to make sure there is money available to build the parks that the citizens of El Dorado Hills expect and deserve,” Harn told *Lake Tahoe News*. “Around \$10 million of park construction funding are at stake. This potential park construction funding disaster could have been easily avoided.”

Harn has not transferred all the money EDHCSD has requested

because he believes EDHCSD has not done its due diligence.

“State law requires that the CSD conduct a nexus study every five years in order to justify the continued collection of the fees. The CSD did not conduct the required study and did not comply with the law,” Harn said.

The county, aka taxpayers, is obligated to pay for Harn’s legal counsel.

“Right now there are two lawsuits before the Superior Court regarding this matter. One lawsuit seeks a court order requiring me to refund the fees to the homeowners. The other lawsuit seeks a court order requiring me to pay a significant portion of the same fees to the CSD,” Harn said. “This mess could have easily been avoided if the CSD and the county would have followed the law as I have repeatedly asked them to. “