



County of El Dorado

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Legislation Text

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Auditor-Controller recommending the Board consider the following:

- 1) Receive and file Reports of Special Tax Delinquencies for Community Facilities District (CFD) No. 1992-1 (Serrano) and Community Facilities District (CFD) 2001-1 (Promontory);
- 2) Adopt **Resolution 173-2011** authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 1992-1; and
- 3) Adopt **Resolution 174-2011** authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 2001-1.

Reason for Recommendation: The Bond Indentures for CFD 1992-1 (Serrano), 2001-1 (Promontory), 2005-1 (Blackstone), 2005-2 (Laurel Oaks) require the Auditor-Controller to annually provide the Board of Supervisors with a list of Special Tax delinquencies relevant to these CFD's. Attached are such lists for tax year 2010 as of September 2, 2011 for CFD 1992-1 and 2001-1. There are no delinquencies for tax year 2010 in CFD 2005-1 and 2005-2.

The Bond Indentures for these CFD's require the County to institute foreclosure proceedings on delinquent parcels. As of September 2, 2011, there are seventy-eight (78) parcels that have unpaid taxes for tax year 2010.

Sixty-four (64) parcels are located within CFD 1992-1 and fourteen (14) parcels are located within CFD 2001-1. Attached are the Resolutions authorizing the judicial foreclosure of these delinquent special assessment taxes. The County is currently under contract with Calfee & Konwinski as counsel for foreclosure on liens of unpaid special taxes. Upon approval of the attached Resolutions, these matters of foreclosure may be referred to counsel to begin foreclosure proceedings.

Action to be taken following approval: 1) The respective reports will be filed by the Clerk of the Board and 2) The Board of Supervisors will adopt Resolutions of the County of El Dorado ordering judicial foreclosure of delinquent special assessment installments pursuant to the CFD 1992-1 and 2001-1 Bond Indentures. The Clerk of the Board will forward two (2) certified Resolutions to the Auditor-Controller for processing