



## Legislation Text

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**File #:** 16-1194, **Version:** 1

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Auditor-Controller recommending the Board:

- 1) Receive Reports of Special Tax Delinquencies for Community Facilities District 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2001-1 (CFD 2001-1 Promontory), and Community Facilities District 2005-1 (CFD 2005-1 Blackstone); and
- 2) Adopt and authorize the Chair to sign Resolutions **195-2016** (CFD 1992-1 Serrano), **196-2016** (CFD 2001-1 Promontory) and **197-2016** (CFD 2005-1 Blackstone) authorizing judicial foreclosures of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1, and CFD 2005-1 Bond Indentures.

### **DEPARTMENT RECOMMENDATION**

1. The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District No. 1992-1 (CFD 1992-1 Serrano).
2. The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District No. 2001-1 (CFD 2001-1 Promontory).
3. The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District No. 2005-1 (CFD 2005-1 Blackstone).
4. The Auditor-Controller recommends the Board of Supervisors adopt the attached Resolutions authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1 and CFD 2005-1 Bond Indentures.

### **DISCUSSION / BACKGROUND**

The Bond Indentures for CFD 1992-1 (Serrano), 2001-1 (Promontory), 2005-1 (Blackstone) and 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 CFDs. Attached are such lists for tax year 2015 as of October 3, 2016 for CFD 1992-1 (Serrano), 2001-1 (Promontory), and CFD 2005-1 (Blackstone). There are no delinquencies for tax year 2015 in CFD 2005-2 (Laurel Oaks).

The Bond Indentures for these CFDs require the County to institute foreclosure proceedings on delinquent parcels. As of October 3, 2016 there are twenty-five (25) parcels that have unpaid special taxes for tax year 2015.

Twenty (20) parcels are located within Serrano, three (3) parcels are located within Promontory, and two (2) parcels are located within Blackstone. 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.

**ALTERNATIVES**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

No impact. Foreclosure costs should be reimbursed from foreclosure proceeds or funded by Special Tax proceeds collected for the CFDs.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) File the attached Report of Special Tax Delinquencies for CFD 1992-1.
- 2) File the attached Report of Special Tax Delinquencies for CFD 2001-1.
- 3) File the attached Report of Special Tax Delinquencies for CFD 2005-1.
- 4) Forward two (2) certified Resolutions to the Auditor-Controller for processing.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

Joe Harn, Auditor-Controller