



## Legislation Text

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**File #:** 17-1297, **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 2005-2 (CFD 2005-2 Laurel Oaks); and
- 2) Adopt and authorize the Chair to sign Resolutions **182-2017** (CFD 1992-1 Serrano), **183-2017** (CFD 2001-1 Promontory) and **184-2017** (CFD 2005-2 Laurel Oaks) authorizing judicial foreclosures of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1, and CFD 2005-2 Bond Indentures.

### **DEPARTMENT RECOMMENDATION**

The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District 1992-1 (CFD 1992-1 Serrano).

The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District 2001-1 (CFD 2001-1 Promontory).

The Auditor-Controller recommends the Board of Supervisors receive and file the attached Report of Special Tax Delinquencies for Community Facilities District 2005-2 (CFD 2005-2 Laurel Oaks).

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 2005-2 Bond Indentures.

### **DISCUSSION / BACKGROUND**

The Bond Indentures for CFD 1992-1 (Serrano), 2001-1 (Promontory), 2005-1 (Blackstone), 2005-2 (Laurel Oaks) and CFD 2014-1 (Carson Creek) require the Auditor-Controller to annually provide the Board of Supervisors with a list of Special Tax delinquencies that exceed the threshold amounts identified in individual bond issuance documents for these CFDs. Attached are such lists for tax year 2016 as of November 9, 2017 for CFD 1992-1 (Serrano), 2001-1 (Promontory), and CFD 2005-2 (Laurel Oaks). CFD 2005-1 (Blackstone) and CFD 2014-1 (Carson Creek) have no delinquencies in 2016 that exceed the threshold amounts.

The Bond Indentures for these CFDs require the County to institute foreclosure proceedings on parcels that are delinquent in the amount exceeding the threshold identified in the bond issuance documents. As of November 9, 2017 there are seven (7) such parcels.

Two (2) parcels are located within Serrano, four (4) parcels are located within Promontory, and one (1) parcel is located within Laurel Oaks. 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 2005-2.
- 4) Forward two (2) certified Resolutions to the Auditor-Controller for processing.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

Joe Harn, Auditor-Controller