

STAFF REPORT
City of Lancaster

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07/28/09
MVB

Date: July 28, 2009

To: Mayor Parris and City Council Members

From: Barbara Boswell, Finance Director

Subject: **Approval of Special Tax Levy within Community Facilities District No. 89-1 For Fiscal Year 2009-2010**

Recommendation:

Adopt **Resolution No. 09-66**, authorizing and providing for the Fiscal Year 2009-2010 levy of a special tax within Community Facilities District No. 89-1, a District established to finance the acquisition and construction of regional water system improvements in various locations in the City.

Fiscal Impact:

No expenditure of City funds is involved since the special tax levy on land within CFD 89-1 proposed for 2009-2010 are sufficient to meet administrative costs and debt service requirements for 2009-2010 on CFD 89-1, 1990 Special Tax Bonds. The tax rate for all property types remain the same as 2008-2009.

Background:

CFD 89-1, otherwise known as Hillside Residential, was established to finance the construction of regional water system improvements primarily on the east side of Lancaster. Four million, eight hundred and ninety-five thousand (\$4,895,000) in Special Tax Bonds were issued.

On October 16, 1989, City Council adopted Ordinance No. 518, authorizing the levy of the special tax for CFD 89-1.

The levy of the special tax on an annual basis is required since the rate and method for special tax apportionment differentiates between developed property and undeveloped property. As homes are completed and sold by the developer, the property changes from undeveloped to developed status which carries a different tax rate for the homebuyer.

On November 16, 1992 the City Council adopted Resolution No. 92-271, ordering judicial foreclosure of delinquent Special Taxes within CFD 89-1.

On February 1, 1993 the City Council adopted Resolution No. 93-14 (amended by Resolution No. 93-38, on March 15, 1993), requiring cash payment for certain properties within CFD 89-1 who have excess Water Capacity Units (WCUs) in accordance with the Rate and Method.

On December 9, 1997 the City Council adopted Resolution No. 97-129, restructuring the district, resulting in an A Series (for performing properties) and a B Series (for non-performing properties). Bonds were issued in the amount of \$3,740,000 and \$2,643,889.71 respectively. The rate and method was modified at that time. This revised rate and method was used to calculate the 2009-2010 levy.

As required by Ordinance No. 518, authorizing the levy of a special tax for CFD 89-1, the City Council is required to adopt, by Resolution, the special tax levy in accordance with previously adopted "Rate and Method of Special Tax Apportionment". The City's Mello-Roos administrator, Willdan, has completed the Special Tax Levy Report for Fiscal Year 2009-2010.

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Attachments:

1. Resolution No. 09-66
2. Special Tax Levy Report – On file in the City Clerk's Office
3. Exhibit A – 2009-2010 Special Tax Rates