

COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL HEALTH SERVICES DIVISION

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DIRECTOR

July 22, 2014

Rebecca Ng, REHS
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SUBJECT: Collection of Unpaid Assessments and Issuance of Bonds for
Marshall Phase 2 Community Wastewater System Assessment
District

Dear Board Members,

RECOMMENDATION:

Adopt the resolutions related to the Marshall Phase 2 Community Wastewater System Assessment District.

- 1) Resolution Determining Unpaid Assessments for the Assessment District; Requesting that the Director of Finance Collect the Remaining Unpaid Assessments; and Determining Annual Assessment for Administrative Costs.
- 2) Resolution Providing for the Issuance of Limited Obligation Improvement Bonds for the Marshall Phase 2 Community Wastewater System Assessment District and Approving Related Documents and Actions.

SUMMARY:

On April 22, 2014, your Board adopted Resolution No. 2014-29 affirming the intention to establish the Marshall Phase 2 Community Wastewater System Assessment District and to levy assessments. The Resolution also approved district boundaries and a Revised Preliminary Engineer's Report as well as stated the intention to sell bonds to represent unpaid assessments levied by the Assessment District. Lastly, the Resolution called for a public hearing and election on the Assessment District formation on June 10, 2014.

A public hearing was held by your Board on June 10, 2014 to hear any protests to the formation of the Marshall Phase 2 Community Wastewater System Assessment District. No one appeared at the public hearing. The hearing was continued so ballots could be counted and tallied to determine the results of the election regarding the Assessment District formation. The results were announced in favor of District formation and only one ballot cast (representing 5.7% of the assessments to be levied) was against the formation of the District. Your Board then adopted Resolution 2014-41, confirming assessments, adopting the Revised Final Engineer's Report, and ordering the work and improvements.

Written notice of the assessments with the amount of the final confirmed assessment levied as noted in the Revised Final Engineer's Report was mailed to each property owner specifying a date by which they may pay their respective assessments in cash (July 14, 2014). The property owners were informed they could pay the assessment in full or in part and if not paid, the unpaid assessment would become a lien upon their property.

The Director of Finance of the County has filed with the Clerk a list of all cash payments received by the close of business on July 14th on account of assessments levied in the Assessment District, and a list of all assessments or portions of assessments unpaid.

The adoption of first resolution by your Board would declare the amount of the remaining unpaid assessments in the Assessment District and provide for their collection by designating the office of the Director of Finance as the department of the County responsible for annually preparing the current tax roll of assessment installment obligations by assessor's parcel number on property within the Assessment District for collection.

The adoption of the second resolution by your Board would provide for the issuance of bonds pursuant to the Improvement Bond Act of 1915 of the State of California (the "Bonds") upon the security of the unpaid assessments, and establish the terms and provisions of such issuance. The resolution would also approve documents and actions necessary to sell and issue the bonds including the approval of a Rate Lock and Bond Purchase Agreement and a Fiscal Agent Agreement.

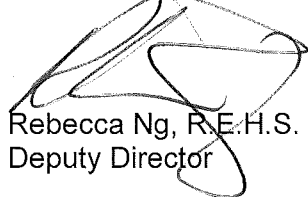
FISCAL/STAFFING IMPACT:

The recommended actions will not increase the agency's net County cost to the general fund. The cost of this project is expected to be fully supported by the grant funds and the assessments levied in the Assessment District. Costs related to the bonds to be issued will be paid from proceeds of the bonds, and annual bond administration costs will be paid from a portion of the annual assessment levies on properties in the Assessment District.


REVIEWED BY: (These boxes must be checked)

<input checked="" type="checkbox"/> Department of Finance	<input type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

SIGNATURE:



Rebecca Ng, R.E.H.S.
Deputy Director



Brian C. Crawford
Director

Attachments:

1. Resolution Determining Unpaid Assessments
2. Resolution Providing for the Issuance of Improvement Bonds
3. Fiscal Agent Agreement
4. Bond Purchase and Rate Lock Agreement