ITEM 10.G.

MOORPARK CITY COUNCIL
AGENDA REPORT

TO: **Honorable City Council**

FROM: **Johnny Ea, Finance Director**

DATE: **June 27, 2006 (CC Meeting of 7/19/06)**

SUBJECT: **Adopt the Resolution Determining and Levying the Special Tax in Community Facilities District (CFD) No. 97-1 for Fiscal Year 2006-2007**

BACKGROUND/DISCUSSION

The City formed and issued bonds for Community Facilities District No. 97-1 (Carlsberg Business Park Public Improvements) in 1997. The County of Ventura requires that a resolution requesting the levy be approved by City Council. The levy of special taxes is pursuant to the Ordinance passed by the City Council. All costs for the levy are charged to the parcels that are in the District.

STAFF RECOMMENDATION (ROLL CALL VOTE)

Adopt Resolution No. 2006-_____ to levy the special taxes in CFD 97-1 (the "District") for Fiscal Year 2006-07, as shown in the attached Exhibit "A".

Attachment: Resolution No. 2006 - _____.

RESOLUTION NO. 2006-____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK DETERMINING AND LEVYING THE SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 97-1 FOR FISCAL YEAR 2006-2007

WHEREAS, the City Council (the "City Council") of the City of Moorpark (the "City") is the legislative body of Community Facilities District No. 97-1 (the "District"), which District was established pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, the City Council did, pursuant to the provisions of Chapter 2.5 of Part I of Division 2 of Title 5, commencing with Section 53311 of the California Government Code (the "Act"), on February 19, 1997, adopt Resolution 97-1280 entitled "A Resolution of the City Council of the City of Moorpark of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes Pursuant to the Mello-Roos Community Facilities Act of 1982"; and

WHEREAS, the City has heretofore received a report relating to Fiscal Year 2006-07 special tax levy for the District and attached as Exhibit "A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The preceding recitals are true and correct.

SECTION 2. The City of Moorpark hereby determines the special taxes to be levied in Fiscal Year 2006-07 for each parcel in the District, as provided in Resolution No. 97-1280.

SECTION 3. The special tax rate utilized in the preparation of the levy does not exceed the amount previously authorized, and is not in excess of that approved by the qualified electors of the District.

SECTION 4. The proceeds of the special tax shall be used to pay, in whole or in part, the approved costs of the Districts.

SECTION 5. The Auditor-Controller of the County of Ventura is hereby directed to prepare a real property tax statement for each parcel of the District for Fiscal Year 2006-07 listing the special tax due opposite each lot or parcel of land affected, in a line item designated CFD 97-1 special tax, or any other suitable designation, in accordance with this resolution.

SECTION 6. All special taxes collected will be deposited in the applicable special tax fund upon receipt by the City of Moorpark from the Auditor-Controller pursuant to the terms of the Indenture of Trust.

SECTION 7. The Auditor-Controller shall, at the close of the tax collection period, render to the District a detailed report showing the amount of the special tax installments, penalties, interest, and fees collected, and from which properties collected. Any expenses to be paid to the Auditor-Controller for carrying out the foregoing responsibilities shall be in accordance with a contract, if any, entered into between the District and the Auditor-Controller, pursuant to Section 29304 of the Government Code of the State of California or as otherwise provided by law.

SECTION 8. This resolution shall take effect immediately upon its passage and adoption.

SECTION 9. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 19th day of July, 2006.

_____
Patrick Hunter, Mayor

ATTEST:

_____
Deborah S. Traffenstedt, City Clerk

Attachment: Exhibit "A" – Special Tax Levy

Exhibit A

Fiscal Year 2006-2007
Special Tax Levy

City of Moorpark
Community Facilities District No. 97-1
(Carlsberg Business Park Public Improvements)

Assessor's Parcel Number	Zone	Taxable Acreage	Special Tax Levy
512-0-410-045	A	7.24	$ 69,706.00
512-0-410-055	A	3.22	$ 31,002.00
512-0-410-065	A	0.71	$ 6,836.00
512-0-410-075	A	0.58	$ 5,585.00
512-0-410-095	A	0.75	$ 7,221.00
512-0-410-115	A	9.61	$ 92,525.00
512-0-410-125	A	6.08	$ 58,538.00
512-0-410-135	A	0.68	$ 6,547.00
512-0-410-145	A	0.05	$ 482.00
512-0-350-045	A	11.52	$ 110,914.00
512-0-260-045	B	31.06	$ 208,262.00
512-0-260-095	B	0.46	$ 3,085.00
512-0-260-125	B	1.52	$ 10,192.00
Total	13	73.48	$ 610,895.00