



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802

C-4

December 8, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file annual reports on Community Facilities District No. 6 - Pike Public Improvements (CFD No. 6); Community Facilities District No. 2007-1 - Douglas Park Commercial Area A (CFD No. 2007-1); and, Community Facilities District No. 5 - Long Beach Towne Center (CFD No. 5) to comply with the Local Agency Special Tax Bond and Accountability Act. (Districts 2, 5)

DISCUSSION

The Local Agency Special Tax Bond and Accountability Act, enacted by Senate Bill 165 and codified in the California Government Code Sections 53410 through 53412, requires local agencies to submit an annual report to its governing body on local bond measures sold after January 1, 2001. This annual report requirement applies to CFD No. 6 (Exhibit A), CFD No. 2007-1 (Exhibit B) and CFD No. 5 (Exhibit C).

The CFD No. 6 – Pike Public Improvement bonds, totaling \$32.1 million, were issued to finance acquisition, construction and installation of the Pike Parking Structure and the Catalina Landing Parking Lot, in addition to ancillary improvements which included storm drains, metered on-street parking stalls, installation of underground utilities and related improvements.

The CFD No. 2007-1 - Douglas Park Commercial Area A bonds, totaling \$15.1 million of which \$12.9 million were deposited into an improvement fund to support the acquisition, construction of various public improvements including sewer, water, roadway, and traffic signalization systems, installation of street lights and construction of dry utilities and landscaping and irrigation improvements.

The CFD No. 5 - Long Beach Towne Center refunding bonds, totaling \$14.6 million, of which \$826,000 was deposited in the Improvement Fund to finance certain sidewalk and/or drainage improvements. The remainder was used to defease outstanding bonds issued by the City for the District in 2000.

This matter was reviewed by Assistant City Attorney Heather A. Mahood and Budget and Performance Management Bureau Manager David Wodynski on November 16, 2009.

TIMING CONSIDERATIONS

State law requires this report to be filed by the end of the calendar year; therefore, City Council action is requested on December 8, 2009.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF:DN:EC
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ATTACHMENTS

APPROVED:



PATRICK H. WEST
CITY MANAGER

**Community Facilities District No. 6
Pike Public Improvements**

**2 0 0 9 A N N U A L
R E P O R T**

Senate Bill 165 enacted the Local Agency Special Tax and Bond Accountability Act codified in Government Code Sections 53410 through 53412. This Act requires that any local special tax/local bond measure subject to voter approval contain a statement indicating the specific purposes of the special tax, requires that the proceeds of the special tax be applied to those purposes, requires the creation of an account into which the proceeds shall be deposited, and requires an annual report containing specified information concerning the use of the proceeds. The Act only applies to bonds issued on or after January 1, 2001 in accordance with Section 53410 of the California Government Code.

Some of the requirements of the Act are handled at the formation (bond issuance) of the Special Tax District and others are handled through annual reports. This report intends to comply with Section 53411 of the California Government Code that states:

“The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410.”

The requirements of the Act apply to the Improvement/Construction Fund of the following District:

Initial Bond Proceeds:

District	Date Bonds Issued	Initial Amount Deposited to Improvement/Construction Fund	9/30/2009 Balance	Expended Amount to Date	Project Status
CFD No. 6	7/11/2002	\$32,142,411	\$0	\$32,142,411	Complete

Interest Earnings on Bond Proceeds:

District	Interest Earned on Bond Proceeds to Date	9/30/2009 Earned Interest Balance	Earned Interest Expended Amount To Date
CFD No. 6	\$363,433	\$277,589	\$85,844

**Community Facilities District
No. 2007-1 Douglas Park –Commercial Area**

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The requirements of the Act apply to the Improvement/Construction/Facilities Fund of the following District:

Initial Bond Proceeds:

District	Date Bonds Issued	Initial Amount Deposited To Improvement/Construction Fund	9/30/2009 Balance ⁽¹⁾	Expended Amount to Date	Project Status
CFD No. 2007-1	July 2007	\$12,934,414	\$867,438	\$12,066,976	In Progress

(1) Includes accrued interest earnings.

**Community Facilities District No. 5
Long Beach Towne Center Refunding**

**2 0 0 9 A N N U A L
R E P O R T**

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- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410.”

The requirements of the Act apply to the Improvement/Construction Fund of the following District:

Initial Bond Proceeds:

District	Date Refunded Bonds Issued	Initial Amount Deposited To Improvement/Construction Fund	9/30/2009 Balance ⁽¹⁾	Expended Amount to Date	Project Status
CFD No. 5 (Refunded)	5/22/2008	\$826,219	\$0	\$826,219	In Progress

(1) Includes accrued interest earnings.