

**CITY OF SAN DIEGO
COMMUNITY FACILITIES DISTRICT NO. 2
IMPROVEMENT AREA NO. 4**

July 6, 2009

Public Finance
Facilities Planning
Urban Economics

Newport Beach
Riverside
San Francisco
Walnut Creek

**ADMINISTRATION REPORT
FISCAL YEAR 2009-2010**

**CITY OF SAN DIEGO
COMMUNITY FACILITIES DISTRICT NO. 2
IMPROVEMENT AREA NO. 4**

Prepared for

CITY OF SAN DIEGO
202 C Street, 7th Floor
San Diego, California 92101

Prepared by

DAVID TAUSSIG & ASSOCIATES, INC.
5000 Birch Street, Suite 6000
Newport Beach, California 92660
(949) 955-1500

Table of Contents

<i>Section</i>	<i>Page</i>
<i>Introduction</i>	<i>1</i>
<i>I. Special Tax Classifications and Development Update</i>	<i>2</i>
Special Tax Classifications	<i>2</i>
Development Update	<i>2</i>
<i>II. Fiscal Year 2008-2009 Special Tax Levy</i>	<i>4</i>
<i>III. Fiscal Year 2009-2010 Special Tax Requirement</i>	<i>5</i>
<i>IV. Method of Apportionment</i>	<i>7</i>
Maximum Special Taxes.....	<i>7</i>
Apportionment of Special Taxes	<i>7</i>

EXHIBITS

Exhibit A: Fiscal Year 2009-2010 Special Tax Levy

Introduction

This report provides an analysis of the financial and administrative obligations of Community Facilities District No. 2 (Santaluz) Improvement Area No. 4 ("IA No. 4") of the City of San Diego resulting from the sale of the \$9,965,000 Series A of 2004 Special Tax Bonds (the "Bonds") issued in February, 2004.

IA No. 4 is a legally constituted governmental entity established under the Mello-Roos Community Facilities Act of 1982, (the "Act") as amended. The Act provides an alternative method for the financing of certain public capital facilities and services. Specifically, IA No. 4 is authorized to issue up to \$10,500,000 in bonds and has sold \$9,965,000 in bonds. The proceeds of the Bonds were used for purposes of constructing certain road, water, and sewer related facilities necessary to meet increased demands placed on the City of San Diego as a result of the development of IA No. 4.

The bonded indebtedness of IA No. 4 is both secured and repaid through the annual levy and collection of special taxes from all property subject to the tax within the improvement area. In calculating the special tax liability for fiscal year 2009-2010, this report examines the financial obligations of the current fiscal year and analyzes the level of development within IA No. 4.

This report is organized into the following sections:

Section I

Section I provides an update of the development status of property within IA No. 4.

Section II

Section II analyzes the previous year's special tax levy.

Section III

Section III determines the financial obligations of IA No. 4 for fiscal year 2009-2010.

Section IV

Section IV reviews the methodology used to apportion the special tax requirement between Developed Property and Undeveloped Property. A table of the 2009-2010 special taxes for each classification of property is included.

I. Special Tax Classifications and Development Update

Special Tax Classifications

The methodology employed to calculate and apportion the special tax is contained in a document entitled the Rate and Method of Apportionment of the Special Tax. The Rate and Method of Apportionment defines two categories of property, namely "Developed Property" and "Undeveloped Property." The category of Developed Property is in turn divided into eight separate rate classifications which vary with dwelling unit size and type for residential development and acreage for non-residential development. A table of the Developed Property rate classifications is shown below.

Improvement Area No. 4 Development Property Classification

Class	Designation	
1	Residential Property	Greater than 4,600 sf
2	Residential Property	4,400 – 4,600 sf
3	Residential Property	4,100 – 4,399 sf
4	Residential Property	3,900 – 4,099 sf
5	Residential Property	3,600 – 3,899 sf
6	Residential Property	Less than 3,600 sf
7	Residential Property	Affordable Unit
8	Non-Residential Property	Not Applicable

Developed Property is distinguished from Undeveloped Property by the issuance of a building permit. Specifically, property for which a building permit was issued as of March 1 of any year will be classified as Developed Property in the following fiscal year. In addition to the issuance of a building permit, property is classified as an affordable unit if a deed restriction, resale restriction, and/or regulatory agreement has been recorded in favor of the City providing for affordable housing.

Development Update

IA No. 4 encompasses the residential development known as "Fairbanks Summit." Fairbanks Summit, which comprises most of IA No. 4, consists of approximately 115 acres situated in northwestern San Diego County, 20 miles north of the City's downtown area and six miles north of the La Jolla/Golden Triangle area. The community is 100% built-out with 226 dwelling units.

Table 1 below lists the prepayments that have occurred to date. These parcels are not considered taxable property and are not subject to the CFD special tax in fiscal year 2009-2010 and for each subsequent year. Therefore, these parcels are not included in the development figures in the paragraph below or in Table 2 below.

Table 1

APN	Tract	Lot	Prepayment Amount	Prepayment Date	Bond Call Amount	Bond Call Date	No. of Units
303-220-29	14437	70	\$34,114	September 2003	NA [1]	NA [1]	1
303-230-29	14583	29	\$59,700	February 2006	\$60,000	9/1/2006	1

[1] Prepayment occurred prior to the sale of bonds in February 2004.

As of March 1, 2009 building permits for 224 residential units, including 36 affordable units, had been issued. Table 2 below indicates the cumulative Developed Property, by class, within IA No. 4.

Table 2
Improvement Area No. 4
Cumulative Developed Property

Class	Land Use		Number of Units/Acres
1	Residential Property	Greater than 4,600 sf	68 units
2	Residential Property	4,400 – 4,600 sf	15 units
3	Residential Property	4,100 – 4,399 sf	20 units
4	Residential Property	3,900 – 4,099 sf	41 units
5	Residential Property	3,600 – 3,899 sf	20 units
6	Residential Property	Less than 3,600 sf	24 units
7	Residential Property	Affordable Unit	36 units
8	Non-Residential Property	NA	0 acres

II. Fiscal Year 2008-2009 Special Tax Levy

The aggregate special tax levy for fiscal year 2008-2009 equaled \$769,839. As of June 16, 2009, \$702,439 in special taxes had been collected by the County. The remaining \$67,400 in special taxes are delinquent, resulting in a delinquency rate of 8.76 percent.

Pursuant to the Bond Indenture, IA No. 4 has covenanted to determine each year whether or not any owners of property within IA No. 4 are delinquent in the payment of their special taxes. If such delinquencies exist IA No. 4 is required to commence judicial foreclosure proceedings no later than October 1, against (i) parcels with delinquent special taxes in excess of \$10,000; and (ii) all properties with delinquent special taxes in any fiscal year in which the City receives special taxes in an amount which is less than 95% of the total special tax levied and the amount in the Reserve Account is less than the Reserve Requirement.

At this time, IA No. 4 is not required to commence foreclosure proceedings. However, it is possible that IA No. 4 will be required to commence foreclosure proceedings against certain parcels if the special taxes are not paid.

III. Fiscal Year 2009-2010 Special Tax Requirement

The Rate and Method of Apportionment states that the special tax on Developed Property may be reduced from the assigned special tax if the following three conditions are met: (i) it is not necessary to levy a special tax pursuant to steps two through four described in Section D of the RMA in order to meet the special tax requirement; (ii) all authorized IA No. 4 Bonds have already been issued or the City Council has covenanted that it will not issue any additional IA No. 4 Bonds (except refunding bonds); and (iii) all facilities identified on Exhibit A to the Purchase and Financing Agreement have been acquired. Since all facilities have not been acquired, the fiscal year 2009-2010 special tax for each parcel of Developed Property is equal to the assigned special tax. Therefore, the special tax requirement is equal to \$785,236 and is shown in detail below.

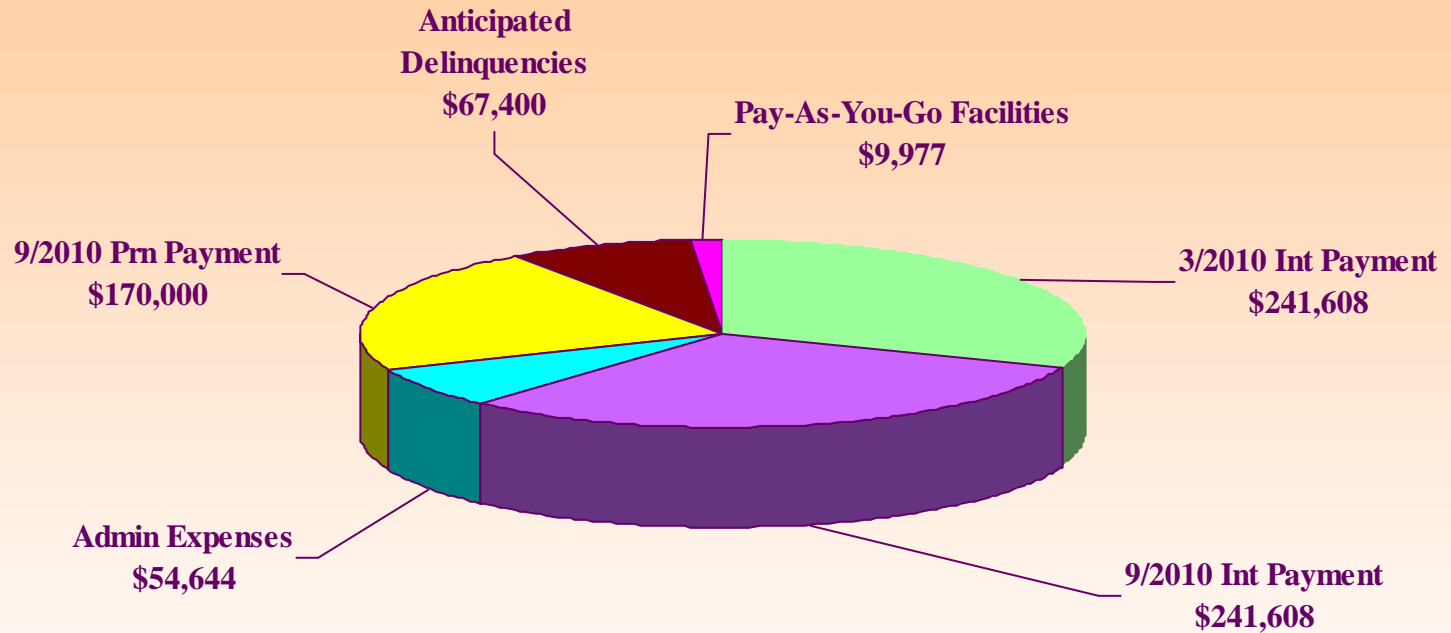
Improvement Area No. 4 Fiscal Year 2009-2010 Special Tax Requirement

FISCAL YEAR 2009-2010 USES OF FUNDS:	
CFD ADMINISTRATIVE EXPENSES	\$54,644
INTEREST DUE MARCH 1, 2010 [1]	\$241,608
INTEREST DUE SEPTEMBER 1, 2010 [1]	\$241,608
PRINCIPAL DUE SEPTEMBER 1, 2010	\$170,000
PAY-AS-YOU-GO FACILITIES	\$9,977
ANTICIPATED DELINQUENCIES	\$67,400
GROSS SPECIAL TAX REQUIREMENT	\$785,236
LESS CREDIT FOR FUNDS AVAILABLE	(\$0)
FISCAL YEAR 2009-2010 SPECIAL TAX REQUIREMENT:	\$785,236

[1] Debt service reflects a \$60,000 bond call on September 1, 2006.

Improvement Area No. 4 of the City of San Diego CFD No. 2

Fiscal Year 2009-2010 Special Tax Levy



Gross Special Tax Requirement = \$785,236

IV. Method of Apportionment

Maximum Special Taxes

The amount of special taxes that IA No. 4 may levy is strictly limited by the maximum special taxes set forth in the Rate and Method of Apportionment.¹

The fiscal year 2009-2010 maximum special tax rates for each classification of property are shown in the table on the following page. Each July 1, commencing July 1, 2004, the maximum special tax rates shall be increased by an amount equal to two percent of the amount in effect for the previous fiscal year. On July 1 of the eleventh and twelfth fiscal years in which special taxes are levied in IA No. 4, the maximum special tax rates may be increased by up to two percent of the amount in effect in the previous fiscal year, provided that such increase is necessary to meet the Special Tax Requirement. There will be no increase in the maximum special tax rates after the twelfth fiscal year in which special taxes are levied in IA No. 4.

Apportionment of Special Taxes

The special tax that is apportioned to each parcel is determined through the application of Section D of the Rate and Method of Apportionment. Section D apportions the special tax requirement in three steps which prioritize the order in which Developed Property, Undeveloped Property and other taxable property are taxed.

The first step states that the special tax shall be levied against each parcel of Developed Property at 100 percent of the assigned special tax. If the special taxes raised pursuant to the first step are less than the special tax requirement, then the second step is applied. The second step states that the special tax shall be levied against each parcel of Undeveloped Property at up to 100 percent of the maximum special tax. The third and fourth steps are designed to accommodate changes in land use and are intended to be used only as a last resort. Since actual land uses have not substantially deviated from the original projections, these steps are not necessary.

As discussed in Section III, the fiscal year 2009-2010 special tax for each parcel of Developed Property is equal to the assigned special tax. The fiscal year 2009-2010 assigned/maximum and actual special taxes are shown for each classification of Developed Property and Undeveloped Property in the following table and graphically on the following page.

¹

Technically, Section C states that the maximum special tax for a parcel of Developed Property is equal to the greater of (i) the "Backup Special Tax" or (ii) the Assigned Special Tax. The Backup Special Tax was established for the contingency of a shortfall in revenues resulting from significant changes in development densities. The contingency for which the Backup Special Tax was established does not exist and hence, all discussion of maximum tax rates for Developed Property focuses on the Assigned Special Tax.

**Improvement Area No. 4
Fiscal Year 2009-2010 Special Taxes
for Developed Property and Undeveloped Property**

Class	Land Use		FY 2009-2010 Maximum Special Tax	FY 2009-2010 Actual Special Tax
1	Residential Property	Greater than 4,600 sf	\$4,908.80/unit	\$4,908.80/unit
2	Residential Property	4,400 – 4,600 sf	\$4,508.08/unit	\$4,508.08/unit
3	Residential Property	4,100 – 4,399 sf	\$4,007.19/unit	\$4,007.18/unit
4	Residential Property	3,900 – 4,099 sf	\$3,806.84/unit	\$3,806.84/unit
5	Residential Property	3,600 – 3,899 sf	\$3,506.30/unit	\$3,506.30/unit
6	Residential Property	Less than 3,600 sf	\$3,055.49/unit	\$3,055.48/unit
7	Residential Property	Affordable Unit	\$114.86/unit	\$114.86/unit
8	Non-Residential Property	NA	\$17,256.06/acre	\$0.00/acre
NA	Undeveloped Property	NA	\$17,256.19/acre	\$0.00/acre

A list of the actual special tax levied against each parcel in IA No. 4 is included in Exhibit A.

Improvement Area No. 4 of the City of San Diego CFD No. 2

Fiscal Year 2009-2010 Special Tax Levy

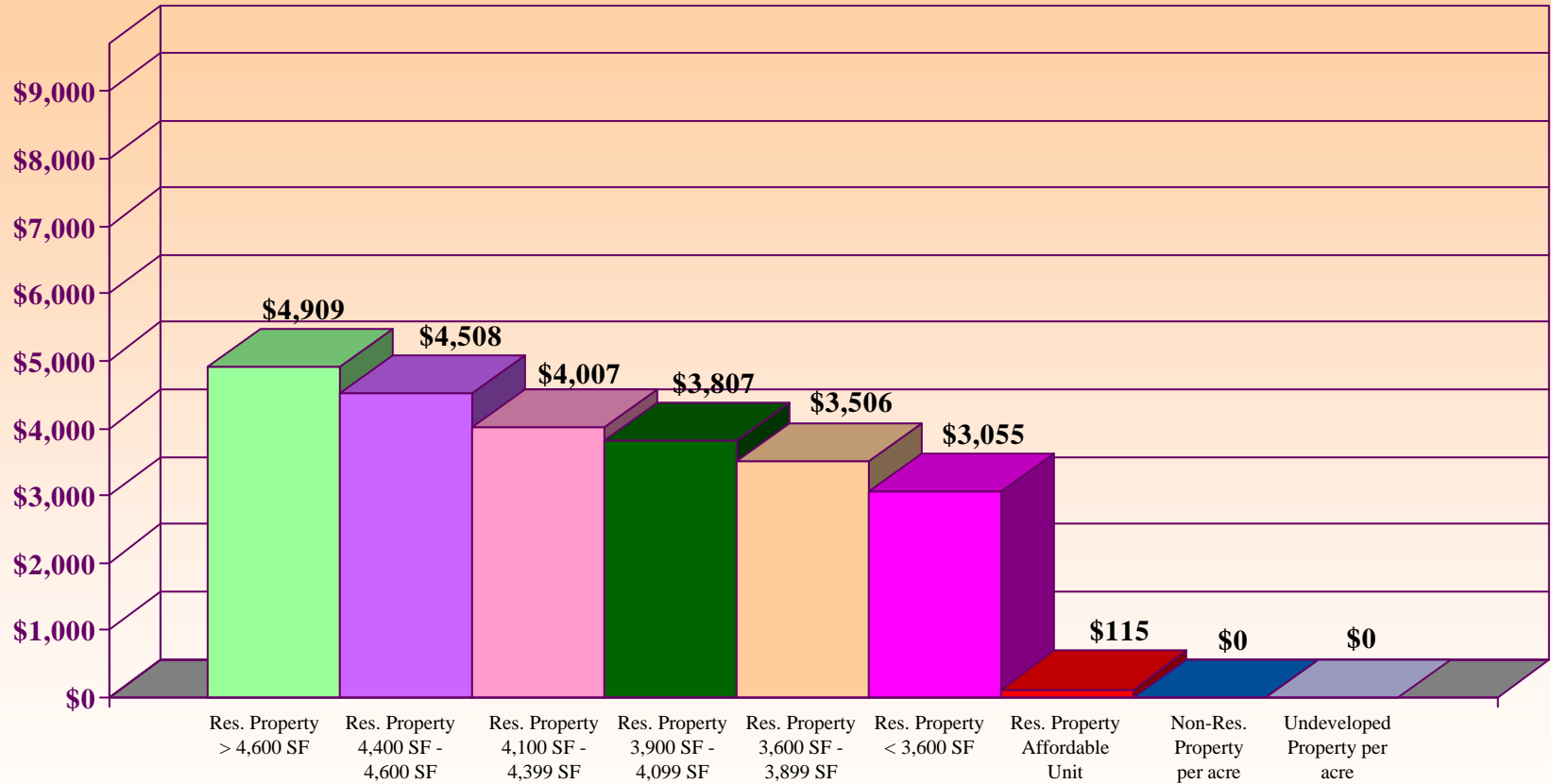


EXHIBIT A

*Improvement Area No. 4 of the
City of San Diego CFD No. 2*

*Special Tax Roll
Fiscal Year 2009-2010*

Exhibit A**City of San Diego CFD No. 2
Improvement Area No. 4
FY 2009-10 Special Tax Levy**

<u>APN</u>	<u>FY 2009-10 SPECIAL TAX</u>
303-200-01-00	\$4,908.80
303-200-02-00	\$4,908.80
303-200-03-00	\$4,908.80
303-200-04-00	\$4,007.18
303-200-05-00	\$4,508.08
303-200-06-00	\$4,908.80
303-200-07-00	\$4,908.80
303-200-08-00	\$4,908.80
303-200-09-00	\$4,908.80
303-200-10-00	\$4,007.18
303-200-11-00	\$4,908.80
303-200-12-00	\$4,908.80
303-200-13-00	\$4,508.08
303-200-14-00	\$4,908.80
303-200-15-00	\$4,908.80
303-200-16-00	\$4,908.80
303-200-17-00	\$4,908.80
303-200-18-00	\$4,908.80
303-200-19-00	\$4,908.80
303-200-20-00	\$4,508.08
303-200-21-00	\$4,908.80
303-200-22-00	\$4,908.80
303-200-23-00	\$4,908.80
303-200-24-00	\$4,908.80
303-200-25-00	\$4,908.80
303-200-26-00	\$4,007.18
303-200-27-00	\$4,908.80
303-200-28-00	\$4,908.80
303-200-29-00	\$4,007.18
303-210-01-00	\$4,508.08
303-210-02-00	\$4,908.80
303-210-03-00	\$4,908.80
303-210-04-00	\$4,908.80
303-210-05-00	\$4,508.08
303-210-06-00	\$4,908.80
303-210-07-00	\$4,908.80
303-210-08-00	\$4,908.80
303-210-09-00	\$4,908.80
303-210-10-00	\$4,908.80
303-210-11-00	\$4,508.08
303-210-12-00	\$4,007.18
303-210-13-00	\$4,908.80
303-210-14-00	\$4,908.80
303-210-17-00	\$4,908.80
303-210-18-00	\$4,908.80
303-210-19-00	\$4,908.80
303-210-20-00	\$4,908.80
303-210-21-00	\$4,908.80
303-210-22-00	\$4,007.18
303-210-23-00	\$4,908.80

Exhibit A

City of San Diego CFD No. 2
Improvement Area No. 4
FY 2009-10 Special Tax Levy

<u>APN</u>	<u>FY 2009-10 SPECIAL TAX</u>
303-210-24-00	\$4,007.18
303-210-25-00	\$4,908.80
303-210-26-00	\$4,908.80
303-210-27-00	\$4,908.80
303-210-28-00	\$4,007.18
303-210-29-00	\$4,908.80
303-210-30-00	\$4,908.80
303-210-31-00	\$4,908.80
303-210-32-00	\$4,007.18
303-210-33-00	\$4,908.80
303-210-34-00	\$4,908.80
303-210-35-00	\$4,908.80
303-210-36-00	\$4,908.80
303-210-37-00	\$4,908.80
303-210-38-00	\$4,508.08
303-210-39-00	\$4,908.80
303-210-40-00	\$4,908.80
303-210-41-00	\$4,908.80
303-210-42-00	\$4,007.18
303-210-43-00	\$4,908.80
303-210-44-01	\$114.86
303-210-44-02	\$114.86
303-210-44-03	\$114.86
303-210-44-04	\$114.86
303-210-44-05	\$114.86
303-210-44-06	\$114.86
303-210-44-07	\$114.86
303-210-44-08	\$114.86
303-210-44-09	\$114.86
303-210-44-10	\$114.86
303-210-44-11	\$114.86
303-210-44-12	\$114.86
303-210-44-13	\$114.86
303-210-44-14	\$114.86
303-210-44-15	\$114.86
303-210-44-16	\$114.86
303-210-44-17	\$114.86
303-210-44-18	\$114.86
303-210-44-19	\$114.86
303-210-44-20	\$114.86
303-210-44-21	\$114.86
303-210-44-22	\$114.86
303-210-44-23	\$114.86
303-210-44-24	\$114.86
303-210-44-25	\$114.86
303-210-44-26	\$114.86
303-210-51-00	\$4,908.80
303-210-52-00	\$4,908.80
303-220-01-00	\$3,055.48
303-220-02-00	\$3,806.84
303-220-03-00	\$3,506.30

Exhibit A

City of San Diego CFD No. 2
Improvement Area No. 4
FY 2009-10 Special Tax Levy

<u>APN</u>	<u>FY 2009-10 SPECIAL TAX</u>
303-220-04-00	\$4,007.18
303-220-05-00	\$3,506.30
303-220-06-00	\$4,007.18
303-220-07-00	\$3,506.30
303-220-08-00	\$4,007.18
303-220-09-00	\$3,055.48
303-220-10-00	\$3,806.84
303-220-11-00	\$3,806.84
303-220-12-00	\$3,506.30
303-220-13-00	\$3,055.48
303-220-14-00	\$4,007.18
303-220-15-00	\$3,506.30
303-220-16-00	\$4,508.08
303-220-17-00	\$3,055.48
303-220-18-00	\$3,506.30
303-220-19-00	\$3,806.84
303-220-20-00	\$3,055.48
303-220-21-00	\$3,806.84
303-220-22-00	\$3,506.30
303-220-23-00	\$3,055.48
303-220-24-00	\$3,806.84
303-220-25-00	\$4,007.18
303-220-26-00	\$3,806.84
303-220-27-00	\$3,506.30
303-220-28-00	\$3,055.48
303-220-30-00	\$3,806.84
303-220-31-00	\$3,506.30
303-220-32-00	\$3,506.30
303-220-33-00	\$4,007.18
303-220-34-00	\$3,055.48
303-220-35-00	\$3,506.30
303-220-36-00	\$4,007.18
303-220-37-00	\$3,055.48
303-220-38-00	\$3,806.84
303-220-39-00	\$3,806.84
303-221-01-00	\$3,506.30
303-221-02-00	\$3,806.84
303-221-03-00	\$3,806.84
303-221-04-00	\$3,806.84
303-221-05-00	\$3,506.30
303-221-06-00	\$3,806.84
303-221-07-00	\$3,806.84
303-221-08-00	\$3,506.30
303-221-09-00	\$3,806.84
303-221-10-00	\$3,806.84
303-221-11-00	\$3,506.30
303-221-12-00	\$3,806.84
303-221-13-00	\$3,055.48
303-221-14-00	\$3,506.30
303-221-15-00	\$3,806.84
303-221-16-00	\$3,055.48

Exhibit A

City of San Diego CFD No. 2
Improvement Area No. 4
FY 2009-10 Special Tax Levy

<u>APN</u>	<u>FY 2009-10 SPECIAL TAX</u>
303-221-17-00	\$4,007.18
303-221-18-00	\$3,506.30
303-221-19-00	\$3,806.84
303-221-20-00	\$3,506.30
303-221-21-00	\$3,055.48
303-221-22-00	\$3,806.84
303-221-23-00	\$3,806.84
303-221-24-00	\$3,506.30
303-221-25-00	\$4,007.18
303-221-26-00	\$3,506.30
303-221-27-00	\$4,007.18
303-230-01-00	\$3,055.48
303-230-02-00	\$4,508.08
303-230-03-00	\$3,806.84
303-230-04-00	\$3,055.48
303-230-05-00	\$4,908.80
303-230-06-00	\$3,806.84
303-230-07-00	\$4,508.08
303-230-08-00	\$3,055.48
303-230-09-00	\$4,908.80
303-230-10-00	\$3,055.48
303-230-11-00	\$3,806.84
303-230-12-00	\$4,508.08
303-230-13-00	\$3,806.84
303-230-14-00	\$3,055.48
303-230-15-00	\$4,908.80
303-230-16-00	\$3,806.84
303-230-17-00	\$4,908.80
303-230-18-00	\$3,806.84
303-230-19-00	\$3,055.48
303-230-20-00	\$4,908.80
303-230-21-00	\$4,908.80
303-230-22-00	\$3,806.84
303-230-23-00	\$4,508.08
303-230-24-00	\$3,055.48
303-230-25-00	\$4,508.08
303-230-26-00	\$3,806.84
303-230-27-00	\$3,806.84
303-230-28-00	\$3,055.48
303-230-30-00	\$3,806.84
303-230-31-00	\$3,806.84
303-230-32-00	\$3,055.48
303-230-33-00	\$3,055.48
303-230-34-00	\$3,806.84
303-230-35-00	\$4,508.08
303-240-01-00	\$3,806.84
303-240-02-00	\$4,908.80
303-240-03-00	\$3,806.84
303-240-04-00	\$3,055.48
303-240-05-00	\$4,508.08
303-240-06-00	\$3,055.48

Exhibit A

**City of San Diego CFD No. 2
Improvement Area No. 4
FY 2009-10 Special Tax Levy**

<u>APN</u>	<u>FY 2009-10 SPECIAL TAX</u>
303-240-07-00	\$4,908.80
303-240-08-00	\$3,806.84
303-240-09-00	\$3,806.84
303-240-10-00	\$4,908.80
303-240-11-00	\$3,806.84
303-240-12-00	\$4,908.80
303-240-13-00	\$3,806.84
303-240-14-00	\$4,908.80
303-240-15-00	\$3,806.84
303-240-16-00	\$4,908.80
303-240-17-00	\$4,908.80
303-240-18-00	\$1,148.60
Total Number of Parcels Taxed	215
Total FY 2009-10 Special Tax	\$785,236.12