

RESOLUTION MPCFD2019-01

MARLEY PARK COMMUNITY FACILITIES DISTRICT

A RESOLUTION OF THE DISTRICT BOARD OF THE MARLEY PARK COMMUNITY FACILITIES DISTRICT, A COMMUNITY FACILITIES DISTRICT OF ARIZONA, APPROVING A TENTATIVE BUDGET FOR FISCAL YEAR 2020 PURSUANT TO SECTION 48-716, ARIZONA REVISED STATUTES, AS AMENDED; SETTING A PUBLIC HEARING DATE ON SAID TENTATIVE BUDGET; FILING STATEMENTS AND ESTIMATES OF THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, THE COSTS OF CAPITAL IMPROVEMENTS TO BE FINANCED BY THE APPROVED AD VALOREM TAX LEVY, AND THE AMOUNT OF ALL OTHER EXPENDITURES FOR PUBLIC INFRASTRUCTURE AND ENHANCED MUNICIPAL SERVICES PROPOSED TO BE PAID FROM THE TAX LEVY AND OF THE AMOUNT TO BE RAISED TO PAY GENERAL OBLIGATION BONDS OF THE DISTRICT, ALL OF WHICH SHALL BE PROVIDED FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY IN THE DISTRICT; PROVIDING FOR NOTICE OF FILING THE STATEMENTS AND ESTIMATES AND NOTICE OF A PUBLIC HEARING ON THE PORTIONS OF THE STATEMENTS AND ESTIMATES NOT RELATING TO DEBT SERVICE ON GENERAL OBLIGATION BONDS; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on February 12, 2004, the Mayor and Council of the City of Surprise, Arizona (the "City"), adopted Resolution No. 04-51 forming Marley Park Community Facilities District ("MPCFD"), a community facilities district in accordance with Section 48-701 et seq., Arizona Revised Statutes, as amended, as described in Exhibit "A" attached hereto and expressly made a part hereof;

WHEREAS, MPCFD is a special purpose district for purposes of Article IX, Section 19, Constitution of Arizona, a tax-levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1., 3.2, 4 and 5, Arizona Revised Statutes, as amended, and [except as otherwise provided in Section 48-708(B), Arizona Revised Statutes, as amended] is considered to be a municipal corporation and political subdivision of the State of Arizona, separate and apart from the City;

WHEREAS, a primary purpose for creating MPCFD was to finance certain public improvements needed for the development known as "Marley Park" through assessment of ad valorem tax on all real and personal property within MPCFD;

WHEREAS, in accordance with Sections 48-716 and 48-723, Arizona Revised Statutes, as amended, a special election was held on December 7, 2004, wherein the qualified electors of MPCFD voted to issue general obligation bonds in the maximum amount of \$80,000,000 to cover costs of public infrastructure purposes, and to levy and collect an annual ad valorem tax at a rate not to exceed thirty cents (30¢) per one hundred dollars (\$100) of assessed valuation for operation and maintenance expenses of MPCFD;

WHEREAS, in accordance with Sections 48-716 and 48-723, Arizona Revised Statutes, as amended, the District Treasurer of MPCFD has submitted to the District Board of MPCFD a proposed budget for Fiscal Year 2020 which includes statements and estimates of the operation and maintenance expenses of MPCFD, the costs of capital improvements to be financed by the authorized ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds of MPCFD, all of which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property within MPCFD;

WHEREAS, the District Board of MPCFD desires now to approve said tentative budget for Fiscal Year 2020, to publish notice of having filed the required statements and estimates, and to set a date (and publish a notice thereof) for a public hearing to receive comment on the tentative budget and, particularly, on the portions of the statements and estimates not relating to debt service on general obligation bonds;

WHEREAS, after said public hearing, the District Board of MPCFD expects to adopt a final budget by resolution; and,

WHEREAS, on or before the third Monday in August, the District Board of MPCFD also expects to order the fixing, levying and assessment of required ad valorem taxes and to cause certified copies of the order to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT BOARD OF THE MARLEY PARK COMMUNITY FACILITIES DISTRICT, AS FOLLOWS:

Section 1. That certain proposed budget prepared by the District Treasurer of MPCFD for Fiscal Year 2020, attached hereto and expressly made a part hereof as Exhibit "B," is hereby tentatively approved.

Section 2. That the statements and estimates of the operation and maintenance expenses of MPCFD, the costs of capital improvements to be financed by the approved ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds of MPCFD in Fiscal Year 2020 are hereby filed on forms of the Auditor General in accordance with Section 42-17101(3) and 48-723(C), Arizona Revised Statutes, as amended, and are attached hereto and expressly made a part hereof as Exhibit "B".

Section 3. That a public hearing date of **June 4, 2019**, beginning at or after 5:30 p.m. at the **City of Surprise Council Chambers 16000 N Civic Center Plaza, Surprise, Arizona**, is hereby set to consider said tentative budget (including, but expressly not limited to, consideration of those portions of the statements and estimates not relating to debt service on general obligation bonds of MPCFD), and said notice (attached hereto and expressly made a part hereof as Exhibit "C") shall be published once in the Daily News Sun no later than ten (10) days prior to said hearing date.

Section 4. That in accordance with Section 42-17107, Arizona Revised Statutes, the Truth in Taxation notice shall be published twice in the Daily News Sun or other newspaper of general circulation, at least fourteen but not more than twenty days before, and at least seven but not more than ten days before, the Truth in Taxation hearing, which shall be combined with the public hearing of **June 4, 2019**, beginning at or after 5:30 p.m. at the **City of Surprise Council Chambers 16000 N Civic Center Plaza, Surprise, Arizona**.

Section 5. That if any provision in this Resolution is held invalid by a court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

Section 6. That this Resolution shall be effective after its passage and approval according to law.

APPROVED AND ADOPTED this 7 day of May, 2019.


Skip Hall, Chairman District Board
Marley Park Community Facilities District

ATTEST:

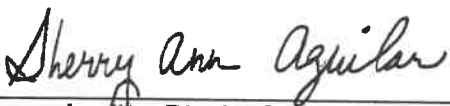

Sherry Aguilar, District Clerk
Marley Park Community Facilities District

EXHIBIT A

LEGAL DESCRIPTION OF
PROPERTY TO BE INCLUDED IN THE DISTRICT

PARCEL NO. 1:

The West half of the Southwest quarter of the Southwest quarter of Section 17, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except The North 858 feet, the West 40 feet and the South 33 feet thereof.

PARCEL NO. 2:

The South 429 feet of the North 858 feet of the West half of the Southwest quarter of the Southwest quarter of Section 17, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the West 40 feet thereof.

PARCEL NO. 3:

The North 429 feet of the West half of the Southwest quarter of the Southwest quarter of Section 17, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the West 40 feet thereof.

PARCEL NO. 4:

The North half and the North half of the Southwest quarter and the Southeast quarter of the Southwest quarter and the East half of the Southwest quarter of the Southwest quarter, all in Section 17, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the West 40 feet, the South 33 feet of the said Southeast quarter of the Southwest quarter, the South 33 feet of the said East half of the Southwest quarter of the Southwest quarter, the North 40 feet of the West 660 feet and the North 33 feet and the East 33 feet of the said North half; and also

Excepting therefrom:

Commencing at the center of said Section 17, and the point of beginning;

Thence North 79 degrees 20 minutes 44 seconds West, a distance of 135.20 feet;

Thence North 89 degrees 55 minutes 57 seconds West, a distance of 534.50 feet;

Thence North 64 degrees 27 minutes 40 seconds West, a distance of 39.87 feet;

Thence North 18 degrees 20 minutes 48 seconds West, a distance of 65.00 feet;

Thence South 71 degrees 39 minutes 12 seconds West, a distance of 121.12 feet, to the beginning of a non-tangent curve;

Thence westerly along said curve, having a radius of 55.00 feet, concave southerly, whose radius bears South 83 degrees 13 minutes 36 seconds West, through a central angle of 135 degrees 40 minutes 15 seconds, a distance of 130.23 feet, to a point of intersection with a non-tangent line;

Thence North 52 degrees 26 minutes 30 seconds West, a distance of 23.49 feet;

Thence South 71 degrees 39 minutes 12 seconds West, a distance of 314.50 feet;

Thence North 18 degrees 20 minutes 48 seconds West, a distance of 74.24 feet;

Thence North 27 degrees 10 minutes 22 seconds East, a distance of 56.05 feet;

Thence North 72 degrees 41 minutes 32 seconds East, a distance of 488.97 feet, to the beginning of a curve;

Thence easterly along said curve, having a radius of 2407.00 feet, concave southerly, through a central angle of 38 degrees 33 minutes 43 minutes, a distance of 1619.99 feet, to the curve's end;

Thence South 68 degrees 44 minutes 45 seconds East, a distance of 422.19 feet, to the beginning of a curve;

Thence southeasterly along said curve, having a radius of 1808.71 feet, concave northeasterly, through a central angle of 11 degrees 35 minutes 13 seconds, a distance of 365.78 feet, to the curve's end;

Thence South 80 degrees 19 minutes 59 seconds East, a distance of 33.43 feet, to the east-west mid-section line of said section;

Thence along said east-west mid-section line, North 88 degrees 41 minutes 25 seconds West, a distance of 1582.37 feet, to the point of beginning, and also

Excepting therefrom:

Commencing at the center of said Section 17;

Thence along the north-south mid-section line of said section, North 00 degrees 04 minutes 03 seconds East, a distance of 488.59 feet, to a point of intersection with a non-tangent curve, and the point of beginning;

Thence leaving said north-south mid-section line, westerly along said curve, having a radius of 2513.00 feet, concave southerly, whose radius bears South 01 degrees 35 minutes 08 seconds West, through a central angle of 09 degrees 58 minutes 47 seconds, a distance of 437.71 feet, to a point of intersection with a non-tangent line;

Thence North 17 degrees 59 minutes 27 seconds West, a distance of 694.38 feet;

Thence North 89 degrees 42 minutes 07 seconds East, a distance of 282.54 feet; Thence South 00 degrees 17 minutes 53 seconds East, a distance of 406.51 feet; Thence North 89 degrees 42 minutes 07 seconds East, a distance of 535.78 feet; Thence South 00 degrees 17 minutes 53 seconds East, a distance of 85.88 feet;

Thence South 47 degrees 24 minutes 43 seconds West, a distance of 53.93 feet;

Thence South 04 degrees 21 minutes 31 seconds West, a distance of 116.48 feet, to the beginning of a non-tangent curve;

Thence westerly along said curve, having a radius of 2513.00 feet, concave southerly, whose radius bears South 04 degrees 21 minutes 31 seconds West, through a central angle of 02 degrees 46 minutes 23 seconds, a distance of 121.63 feet, to the point of beginning.

PARCEL NO. 5:

The North half and the Southwest quarter of Section 16, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Excepting therefrom the East 55 feet of the East half of the Northeast quarter of said Section 16, and also

Except the West 33 and the North 33 feet thereof; and also

Except the South 33 feet of the said Southwest quarter thereof.

EXHIBIT "B"

MPCFD Budget Statements and Estimates on Auditor General Forms

MARLEY PARK COMMUNITY FACILITIES DISTRICT

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MARLEY PARK COMMUNITY FACILITIES DISTRICT
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2020

Fiscal Year	Sch	FUNDS							
		General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds
2019	E	0	85,000	1,267,100	2,850,000	0	0	0	4,202,100
2019	E	0	80,800	1,117,300	0	0	0	0	1,198,100
2020		0	24,300	18,800	0	0	0	0	43,100
2020	B	0	0	0	0		0	0	0
2020	B	0	103,700	1,477,200	0		0	0	1,580,900
2020	C	0	0	0	0	0	0	0	0
2020	D	0	0	8,797,500	0	0	0	0	8,797,500
2020	D	0	0	0	0	0	0	0	0
2020	D	0	0	0	8,580,000	0	0	0	8,580,000
2020	D	0	0	(8,580,000)	0	0	0	0	(8,580,000)
2020									
2020									
2020									
2020									
2020									
2020		0	128,000	1,713,500	8,580,000	0	0	0	10,421,500
2020	E	0	128,000	1,713,700	8,580,000	0	0	0	10,421,700

EXPENDITURE LIMITATION COMPARISON

1. Budgeted expenditure/expenses
2. Add/subtract: estimated net reconciling items
3. Budgeted expenditures/expenses adjusted for reconciling items
4. Less: estimated exclusions
5. Amount subject to the expenditure limitation
6. EEC expenditure limitation

	2019	2020
1.	\$ 4,202,100	\$ 10,421,700
2.	0	0
3.	4,202,100	10,421,700
4.	0	0
5.	\$ 4,202,100	\$ 10,421,700
6.	\$ 0	\$ 0

The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Tax Levy and Tax Rate Information
Fiscal Year 2020

	2019	2020
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ _____	\$ _____
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ _____	\$ _____
B. Secondary property taxes	1,115,400	1,580,900
C. Total property tax levy amounts	\$ <u>1,115,400</u>	\$ <u>1,580,900</u>
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	\$ _____	
(3) Total primary property taxes	\$ _____	
B. Secondary property taxes		
(1) Current year's levy	\$ 1,059,600	
(2) Prior years' levies	3,600	
(3) Total secondary property taxes	\$ 1,063,200	
C. Total property taxes collected	\$ <u>1,063,200</u>	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	_____	_____
(2) Secondary property tax rate	3.9365	4.5722
(3) Total city/town tax rate	<u>3.9365</u>	<u>4.5722</u>
B. Special assessment district tax rates		
Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating <u>1</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.		

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Revenues Other Than Property Taxes
Fiscal Year 2020

<u>SOURCE OF REVENUES</u>	<u>ESTIMATED REVENUE 2019</u>	<u>ACTUAL REVENUES 2019*</u>	<u>ESTIMATED REVENUES 2020</u>
TOTAL ALL FUNDS	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2020

FUND	OTHER FINANCING 2020		INTERFUND TRANSFERS 2020	
	SOURCES	<USES>	IN	<OUT>
DEBT SERVICE FUND				
Marley Park Bond Debt Service (Other Transfers) \$		\$	\$	\$ (8,580,000)
Marley Park Bond Debt Service (Bond Proceeds)	8,797,500			
Total Debt Service Fund \$	8,797,500	\$	\$	\$ (8,580,000)
CAPITAL PROJECTS FUND				
Marley Park CFD Capital 2017 (Other Transfers) \$		\$	\$ 8,580,000	\$
Total Capital Projects Fund \$		\$	\$ 8,580,000	\$
TOTAL ALL FUNDS \$	8,797,500	\$	\$ 8,580,000	\$ (8,580,000)

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Expenditures/Expenses by Fund
Fiscal Year 2020

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2019	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2019	ACTUAL EXPENDITURES/ EXPENSES 2019*	BUDGETED EXPENDITURES/ EXPENSES 2020
SPECIAL REVENUE FUND				
Marley Park Comm Fac Dist				
General Operations	\$ 200	\$	\$	\$
Community and Recreation Svcs	80,600		80,800	108,700
Contingency	4,200			19,300
Special Revenue Fund Total	\$ 85,000	\$	\$ 80,800	\$ 128,000
DEBT SERVICE FUND				
Marley Park Bond Debt Service				
General Operations	\$ 1,267,100	\$	\$ 1,117,300	\$ 1,509,300
Contingency				204,400
Debt Service Fund Total	\$ 1,267,100	\$	\$ 1,117,300	\$ 1,713,700
CAPITAL PROJECTS FUND				
Marley Park CFD Capital 2017				
General Operations	\$ 2,850,000	\$	\$	\$ 8,580,000
Capital Projects Fund Total	\$ 2,850,000	\$	\$	\$ 8,580,000
TOTAL ALL FUNDS	\$ 4,202,100	\$	\$ 1,198,100	\$ 10,421,700

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Expenditures/Expenses by Department
Fiscal Year 2020

<u>DEPARTMENT/FUND</u>	<u>ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2019</u>	<u>EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2019</u>	<u>ACTUAL EXPENDITURES/ EXPENSES 2019*</u>	<u>BUDGETED EXPENDITURES/ EXPENSES 2020</u>
GENERAL OPERATIONS				
Marley Park Comm Fac Dist	\$ 200	\$	\$	\$
Marley Park Bond Debt Service	1,267,100		1,117,300	1,509,300
Marley Park CFD Capital 2017	2,850,000			8,580,000
Department Total	\$ 4,117,300	\$	\$ 1,117,300	\$ 10,089,300
COMMUNITY AND RECREATION SVCS				
Marley Park Comm Fac Dist	\$ 80,600	\$	\$ 80,800	\$ 108,700
Department Total	\$ 80,600	\$	\$ 80,800	\$ 108,700
CONTINGENCY				
Marley Park Comm Fac Dist	\$ 4,200	\$	\$	\$ 19,300
Marley Park Bond Debt Service				204,400
Department Total	\$ 4,200	\$	\$	\$ 223,700
Total All Departments	\$ 4,202,100	\$	\$ 1,198,100	\$ 10,421,700

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

**MARLEY PARK COMMUNITY FACILITIES DISTRICT
Full-Time Employees and Personnel Compensation
Fiscal Year 2020**

FUND	Full-time Equivalent (FTE) 2020	Employee Salaries and Hourly Costs 2020	Retirement Costs 2020	Healthcare Costs 2020	Other Benefit Costs 2020	Total Estimated Personnel Compensation 2020
TOTAL ALL FUNDS	_____	\$ _____	\$ _____	\$ _____	\$ _____	= \$ _____

EXHIBIT "C"

Form of MPCFD Published Notice

MARLEY PARK COMMUNITY FACILITIES DISTRICT
NOTICE OF FILING STATEMENTS AND ESTIMATES
AND
NOTICE OF PUBLIC HEARING

NOTICE OF FILING STATEMENTS AND ESTIMATES OF THE OPERATION AND MAINTENANCE EXPENSES OF THE MARLEY PARK COMMUNITY FACILITIES DISTRICT, THE COSTS OF CAPITAL IMPROVEMENTS TO BE FINANCED BY THE AD VALOREM TAX LEVY, AND THE AMOUNT OF ALL OTHER EXPENDITURES FOR PUBLIC INFRASTRUCTURE AND ENHANCED MUNICIPAL SERVICES PROPOSED TO BE PAID FROM THE TAX LEVY AND OF THE AMOUNT TO BE RAISED TO PAY GENERAL OBLIGATION BONDS OF THE DISTRICT; AND NOTICE OF A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2019 BUDGET OF THE DISTRICT, INCLUDING A HEARING ON THOSE PORTIONS OF THE STATEMENTS AND ESTIMATES NOT RELATING TO DEBT SERVICE ON GENERAL OBLIGATION BONDS.

Notice is hereby given that statements and estimates have been filed in the Office of the District Clerk of the Marley Park Community Facilities District of the operation and maintenance expenses of the District, the costs of capital improvements to be financed by the voter-approved ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds of the District, all of which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the District. Notice is further given of a public hearing on the proposed Fiscal Year 2020 budget of the District, including (but not limited to) a hearing on those portions of the statements and estimates not relating to debt service on general obligation bonds, consideration of establishment or revision of any rates, fees and charges; all pursuant to Arizona Revised Statutes §§48-716 and 48-723. Such hearing will be held by the District Board on June 4, 2019, at or after 5:30 p.m. at the **City of Surprise Council Chambers 16000 N Civic Center Plaza, Surprise, Arizona**, Surprise, Arizona. Copies of the budget are available from the Office of the District Manager, 16000 N Civic Center Plaza, Surprise, Arizona 85374, telephone number: (623)222-1000.

Dated this _____ day of _____ 2019

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District Manager, Marley Park
Community Facilities District

Published: _____, 2019