

RESOLUTION MPCFD2022-01

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 2023 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 2023 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 2023, 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;

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 2023, 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 2023 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 7, 2022, 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 Independent 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 Independent or other newspaper of general circulation, the first publication being at least fourteen but not more than twenty days before, and the second publication 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 7, 2022, 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 3rd day of May, 2022.



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
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2023

Fiscal Year	S c h	FUNDS										Total All Funds	
		General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds					
2022	E 1	0	157,000	1,951,900	4,800,000	0	0	0	0	0	0	0	6,908,900
2022	E 2	0	157,000	1,302,000	0	0	0	0	0	0	0	0	1,459,000
2023	E 3	0	20,500	540,200	0	0	0	0	0	0	0	0	560,700
2023	B 4	0	0	0	0								0
2023	B 5	0	179,000	1,894,600	0								2,073,600
2023	C 6	0	0	0	0	0	0	0	0	0	0	0	0
2023	D 7	0	0	13,079,200	0	0	0	0	0	0	0	0	13,079,200
2023	D 8	0	0	0	0	0	0	0	0	0	0	0	0
2023	D 9	0	0	0	12,503,000	0	0	0	0	0	0	0	12,503,000
2023	D 10	0	0	(12,503,000)	0	0	0	0	0	0	0	0	(12,503,000)
2023													
LESS:													
2023													
Reduction for Fund Balance Reserved for Future Budget Year Expenditures													
Maintained for Future Debt Retirement													
Maintained Future Capital Projects													
Maintained for Future Financial Stability													
2023		0	199,500	3,011,000	12,503,000	0	0	0	0	0	0	0	15,713,500
2023	E 13	0	199,500	3,085,800	12,503,000	0	0	0	0	0	0	0	15,788,300

EXPENDITURE LIMITATION COMPARISON

	2022	2023
1 Budgeted expenditure/expenses	\$ 6,908,900	\$ 15,788,300
2 Add/subtract: estimated net reconciling items	0	0
3 Budgeted expenditures/expenses adjusted for reconciling items	6,908,900	15,788,300
4 Less: estimated exclusions	0	0
5 Amount subject to the expenditure limitation	\$ 6,908,900	\$ 15,788,300
6 EEC expenditure limitation	\$ 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 2023**

	2022	2023
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	\$ _____	\$ _____
Property tax judgment	_____	_____
B. Secondary property taxes	1,819,700	2,073,600
Property tax judgment	_____	_____
C. Total property tax levy amounts	\$ 1,819,700	\$ 2,073,600
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	\$ 1,819,700	
(2) Prior years' levies	_____	
(3) Total secondary property taxes	\$ 1,819,700	
C. Total property taxes collected	\$ 1,819,700	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	_____	_____
Property tax judgment	_____	_____
(2) Secondary property tax rate	3.4771	3.4771
Property tax judgment	_____	_____
(3) Total city/town tax rate	3.4771	3.4771
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 2023

SOURCE OF REVENUES	ESTIMATED REVENUE 2022	ACTUAL REVENUES 2022*	ESTIMATED REVENUES 2023
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 2023

FUND	OTHER FINANCING 2023		INTERFUND TRANSFERS 2023	
	SOURCES	<USES>	IN	<OUT>
DEBT SERVICE FUND				
Marley Park Bond Debt Service (Bond Proceeds)	\$ 13,079,200	\$ _____	\$ _____	\$ _____
Marley Park Bond Debt Service (Other Transfers)	_____	_____	_____	(12,503,000)
Total Debt Service Fund	\$ 13,079,200	\$ _____	\$ _____	\$ (12,503,000)
CAPITAL PROJECTS FUND				
Marley Park CFD Capital 2017 (Other Transfers)	\$ _____	\$ _____	\$ 12,503,000	\$ _____
Total Capital Projects Fund	\$ _____	\$ _____	\$ 12,503,000	\$ _____
TOTAL ALL FUNDS	\$ 13,079,200	\$ _____	\$ 12,503,000	\$ (12,503,000)

MARLEY PARK COMMUNITY FACILITIES DISTRICT
Expenditures/Expenses by Fund
Fiscal Year 2023

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2022	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2022	ACTUAL EXPENDITURES/ EXPENSES 2022*	BUDGETED EXPENDITURES/ EXPENSES 2023
SPECIAL REVENUE FUND				
Marley Park Comm Fac Dist				
Parks and Recreation	\$ 157,000	\$	\$ 157,000	\$ 199,500
Special Revenue Fund Total	\$ 157,000	\$	\$ 157,000	\$ 199,500
DEBT SERVICE FUND				
Marley Park Bond Debt Service				
Contingency	\$ 129,500	\$	\$	\$
General Operations	1,822,400		1,302,000	3,085,800
Debt Service Fund Total	\$ 1,951,900	\$	\$ 1,302,000	\$ 3,085,800
CAPITAL PROJECTS FUND				
Marley Park CFD Capital 2017				
General Operations	\$ 4,800,000	\$	\$	\$ 12,503,000
Capital Projects Fund Total	\$ 4,800,000	\$	\$	\$ 12,503,000
TOTAL ALL FUNDS	\$ 6,908,900	\$	\$ 1,459,000	\$ 15,788,300

* 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 2023

<u>DEPARTMENT/FUND</u>	<u>ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2022</u>	<u>EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2022</u>	<u>ACTUAL EXPENDITURES/ EXPENSES 2022*</u>	<u>BUDGETED EXPENDITURES/ EXPENSES 2023</u>
CONTINGENCY				
<u>Marley Park Bond Debt Service</u>	\$ 129,500	\$	\$	\$
Department Total	<u>\$ 129,500</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
GENERAL OPERATIONS				
<u>Marley Park Bond Debt Service</u>	\$ 1,822,400	\$	\$ 1,302,000	\$ 3,085,800
<u>Marley Park CFD Capital 2017</u>	4,800,000			12,503,000
Department Total	<u>\$ 6,622,400</u>	<u>\$</u>	<u>\$ 1,302,000</u>	<u>\$ 15,588,800</u>
PARKS AND RECREATION				
<u>Marley Park Comm Fac Dist</u>	\$ 157,000	\$	\$ 157,000	\$ 199,500
Department Total	<u>\$ 157,000</u>	<u>\$</u>	<u>\$ 157,000</u>	<u>\$ 199,500</u>
Total All Departments	<u>\$ 6,908,900</u>	<u>\$</u>	<u>\$ 1,459,000</u>	<u>\$ 15,788,300</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
Full-Time Employees and Personnel Compensation
Fiscal Year 2023

FUND	Full-time Equivalent (FTE) 2023	Employee Salaries and Hourly Costs 2023	Retirement Costs 2023	Healthcare Costs 2023	Other Benefit Costs 2023	Total Estimated Personnel Compensation 2023
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 2023 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 2023 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 7, 2022, 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 5th day of MAY 2022


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District Manager, Marley Park
Community Facilities District

Published: MAY 24 + 31, 2022