

VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT

ACTION REPORT:

TO: Chairman and Board Members
FROM: City Treasurer Office
SUBJECT: ADOPT Resolution No. 55 Approving Proposed Budget and Ordering Hearing, and Resolution No. 56 Adopting FY 2023/24 Budget for District

DATE: 6/13/23

AGENDA ITEM NO.: 01

STAFF: Gina Kirklin (x25006)

ACTION

- ADOPT Resolution No. 55, approving the proposed District budget for FY 2023/24 and ordering a hearing on such budget,
- CALL FOR PUBLIC TESTIMONY on the District budget, and
- ADOPT Resolution No. 56, adopting the District budget for FY 2023/24.

BACKGROUND

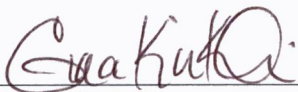
The Via Linda Road Community Facilities District (District) was formed in 1998 to facilitate the financing, acquisition, and construction of public infrastructure within the District. To date, \$3,225,000 of tax-exempt bonds were issued and will be paid in full on July 15, 2023. The District will continue to exist until the earlier of five years with no activity (excluding administrative costs) or dissolution by the voters of the district.

The District was responsible for the installation of infrastructure, which benefits existing and future residents of the District and the City. The District will pay all debt service requirements on July 15, 2023 on the bonds and therefore a tax assessment is no longer necessary.

The FY 2023/24 proposed budget (see Exhibit A of Attachment #1) has been prepared pursuant to the requirements of the Arizona Revised Statutes. The first Resolution calls for approval of the proposed budget and a public hearing on the proposed budget and the second Resolution adopts the budget subsequent to the hearing (see Exhibit B of Attachment #2).

FISCAL IMPACT

The District will satisfy all debt service requirements on July 15, 2023 and will no longer levy taxes from the District property owners. The proposed budget is for the District's ongoing administration expenses, paid from fund balance, until dissolution of the District



Gina Kirklin
Report Author



Alison Tymkiw
District Manager

- Attachments:
1. Resolution No. 55
Exhibit A - Proposed Budget FY 2023/24
Exhibit B - Notice of Hearing
 2. Resolution No. 56
Exhibit A - Notice of Hearing
Exhibit B - Adopted Budget FY 2023/24
Map of District

ACTION TAKEN: Adopt Resolution Nos. 55 and 56 - YES - 7/0

DRAFT

**MINUTES
DISTRICT BOARD
VIA LINDA ROAD
COMMUNITY FACILITIES DISTRICT
TUESDAY, JUNE 7, 2022**

1. CALL TO ORDER

Chair David D. Ortega called to order a meeting of the District Board of the Via Linda Road Community Facilities District at 6:01 P.M. on Tuesday, June 7, 2022, in the City Hall Kiva Forum.

Present: David D. Ortega, Chair
Board Members Tammy Caputi, Tom Durham (who participated electronically), Betty Janik, Kathleen S. Littlefield, Linda Milhaven, and Solange Whitehead

Also Present: District Clerk Ben Lane
Acting District Treasurer Judy Doyle
City Manager Jim Thompson
City Attorney Sherry Scott
City Auditor Sharron Walker

2. APPROVAL OF MINUTES OF TUESDAY, JUNE 8, 2021

Board Member Whitehead made a motion to approve the minutes of Tuesday, June 8, 2021. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

3. ADOPT RESOLUTION NO. 53, WHICH APPROVES THE PROPOSED VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT FISCAL YEAR 2022/23 BUDGET AND ORDERS A PUBLIC HEARING

Board Chair Ortega made a motion to adopt Resolution No. 53 which approves the proposed Via Linda Road Community Facilities District Fiscal Year 2022/23 budget and orders a public hearing. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

4. CONDUCT A PUBLIC HEARING ON THE VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT FISCAL YEAR 2022/23 BUDGET

No public comments were received.

5. ADOPT RESOLUTION NO. 54, WHICH ADOPTS THE PROPOSED VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT FISCAL YEAR 2022/23 BUDGET AND SETS THE TAX LEVY FOR THE DISTRICT

Board Chair Ortega made a motion to adopt Resolution No. 54 which adopts the proposed Via Linda Road Community Facilities District Fiscal Year 2022/23 budget and sets the tax levy for the District. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

6. ADJOURNMENT

Board Member Janik made a motion to adjourn. Board Member Littlefield seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

With no further business to discuss, Chair David D. Ortega adjourned the meeting at 6:02 P.M.

SUBMITTED BY:



**Ben Lane
District Clerk**

Officially approved by the District Board on _____

C E R T I F I C A T E

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the District Board of the Via Linda Road Community Facilities District of Scottsdale, Arizona held on the 7th day of June 2022.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13th day of June 2023.

Ben Lane, District Clerk

VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

RESOLUTION No. 55

A RESOLUTION OF THE DISTRICT BOARD OF THE VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT OF SCOTTSDALE, ARIZONA APPROVING A PROPOSED DISTRICT BUDGET FOR FY 2023/24 AND ORDERING A HEARING ON SUCH BUDGET AS APPROVED

WHEREAS, pursuant to Section 48-716 of the Arizona Revised Statutes, the Treasurer of the Via Linda Road Community Facilities District of Scottsdale, Arizona (the "District") prepared and submitted to the Board of Directors of the District (the "District Board") for approval a proposed District budget for FY 2023/24 (the "Proposed Budget"); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operation expenses for FY 2023/24, as required by Section 48-723(C) of the Arizona Revised Statutes; and

WHEREAS, pursuant to Section 48-723(C) of the Arizona Revised Statutes, the District Board filed the Proposed Budget with the City Clerk of the City of Scottsdale, Arizona, who serves as the clerk of the District, prior to May 31, 2023,

NOW, THEREFORE, BE IT RESOLVED by the District Board of the Via Linda Road Community Facilities District of Scottsdale, Arizona as follows:

1. *Approval of Proposed Budget.* The Proposed Budget submitted to the District Board and attached as Exhibit A hereto is hereby approved and a hearing on the Proposed Budget is hereby ordered as required by law.

2. *Notice of Hearing.* Publication of the notice of the public hearing on the Proposed Budget in the form attached hereto as Exhibit B, which was published in accordance with the provisions of Section 48-716 of the Arizona Revised Statutes, is hereby ratified, approved, and adopted.

3. *Effective Date.* This resolution is effective immediately.

PASSED by the District Board of the Via Linda Road Community Facilities District of Scottsdale, Arizona this 13th day of June, 2023.

Chairman, District Board
Via Linda Road Community Facilities
District of Scottsdale, Arizona

ATTEST:

Ben Lane, District Clerk
Via Linda Road Community Facilities
District of Scottsdale, Arizona

APPROVED AS TO FORM:

By Zachary D. Sakas
Zachary D. Sakas, Bond Counsel
Greenberg Traurig, LLP

ATTACHMENTS:

Exhibit A — Proposed Budget FY 2023/24
Exhibit B — Notice of Hearing

EXHIBIT A

**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

PROPOSED BUDGET FY 2023/24

BEGINNING FUNDS AVAILABLE		\$ 78,487
EXPENSES		
Insurance Premium	\$ (5,000)	
Legal Fees	(600)	
Advertising	(500)	
Administrative	(6,000)	
Estimated Closing Costs*	<u>(66,387)</u>	
Total Expenses		<u>(78,487)</u>
ENDING FUNDS AVAILABLE		<u>\$ 0</u>

*Estimated closing costs include costs associated with maintaining the District until it closes at the earlier of five years with no activity (excluding administrative costs) or dissolution by the voters of the District.

EXHIBIT B

**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

NOTICE OF HEARING

**REQUIRED BY A.R.S. §§ 48-716 AND 48-723(C)
ON THE PROPOSED BUDGET FOR FY 2023/24**

OF

**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to Sections 48-716 and 48-723(C), Arizona Revised Statutes, notice is hereby given that a public hearing on the Proposed Budget of the Via Linda Road Community Facilities District of Scottsdale, Arizona for FY 2023/24 will be held by the District Board on June 13, 2023, at approximately 5:00 p.m. or immediately following the regular meeting of the Scottsdale City Council in the City of Scottsdale City Hall Kiva, located at 3939 N. Drinkwater Blvd., Scottsdale, Arizona. Meetings are broadcast electronically through Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream"). To find the agenda for this meeting and information about the opportunity for public participation and comment, visit ScottsdaleAZ.gov and search "City Council agenda." A copy of the Proposed Budget is on file with the Clerk of the City of Scottsdale, Arizona/District Clerk of Via Linda Road Community Facilities District of Scottsdale, Arizona, at the City Hall of the City of Scottsdale, Arizona, 3939 N. Drinkwater Blvd., Scottsdale, Arizona 85251, telephone number (480) 312-2412. This notice also constitutes notice of the filing of the estimate as required by Section 48-723(C), of the Arizona Revised Statutes.

DATED this 23rd day of May, 2023.

/s/ District Manager
District Manager
Via Linda Road Community Facilities
District of Scottsdale, Arizona

VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

RESOLUTION NO. 56

A RESOLUTION OF THE DISTRICT BOARD OF THE VIA LINDA ROAD
COMMUNITY FACILITIES DISTRICT OF SCOTTSDALE, ARIZONA
ADOPTING THE DISTRICT BUDGET FOR FY 2023/24

WHEREAS, pursuant to Section 48-716 of the Arizona Revised Statutes, the Treasurer of the Via Linda Road Community Facilities District of Scottsdale, Arizona (the “District”) prepared and submitted to the Board of Directors of the District (the “District Board”) for approval a proposed District budget for FY 2023/24 (the “Proposed Budget”); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operating expenses of the District for FY 2023/24, as required by Section 48-723(C) of the Arizona Revised Statutes; and

WHEREAS, on June 13, 2023, the District Board adopted Resolution No. 55 approving the Proposed Budget and ordering a hearing on the Proposed Budget as required by law; and

WHEREAS, as required by Sections 48-716 and 48-723(C) of the Arizona Revised Statutes, notice of the public hearing on the Proposed Budget and of the filing of the estimate, in the form attached hereto as Exhibit A, was published not less than ten days prior to the date hereof in a newspaper of general circulation in the District and was mailed to the City Clerk of the City of Scottsdale, Arizona; and

WHEREAS, a public hearing was held on the date hereof,

NOW, THEREFORE, BE IT RESOLVED by the District Board of the Via Linda Road Community Facilities District of Scottsdale, Arizona as follows:

1. *Adoption of Proposed Budget.* The Proposed Budget in the form attached hereto as Exhibit B is hereby approved and adopted as the final District budget for FY 2023/24 .
2. *Effective Date.* This Resolution is effective immediately.

PASSED by the District Board of the Via Linda Road Community Facilities District of Scottsdale, Arizona this 13th day of June, 2023.

Chairman, District Board
Via Linda Road Community Facilities
District of Scottsdale, Arizona

ATTEST:

Ben Lane, District Clerk
Via Linda Road Community Facilities
District of Scottsdale, Arizona

APPROVED AS TO FORM:

By Zachary D. Sakas
Zachary D. Sakas, Bond Counsel
Greenberg Traurig, LLP

ATTACHMENTS:

Exhibit A — Notice of Hearing
Exhibit B — Adopted Budget FY 2023/24

EXHIBIT A

**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

NOTICE OF HEARING

**REQUIRED BY A.R.S. §§ 48-716 AND 48-723(C)
ON THE PROPOSED BUDGET FOR FY 2023/24**

OF

**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

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DATED this 23rd day of May, 2023.

/s/ District Manager
District Manager
Via Linda Road Community Facilities
District of Scottsdale, Arizona

EXHIBIT B

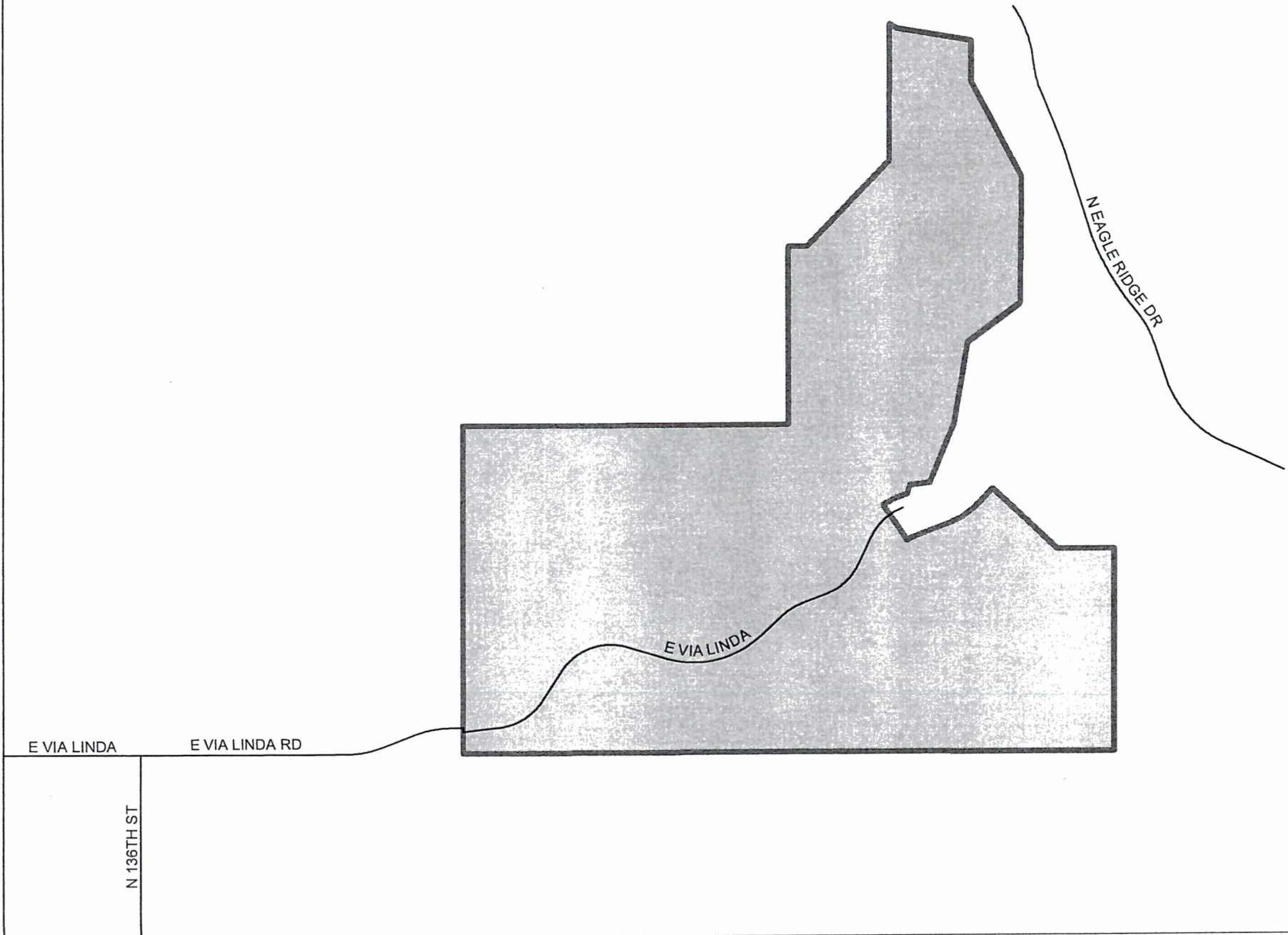
**VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

ADOPTED BUDGET FY 2023/24

BEGINNING FUNDS AVAILABLE		\$ 78,487
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*Estimated closing costs include costs associated with maintaining the District until it closes at the earlier of five years with no activity (excluding administrative costs) or dissolution by the voters of the District.

VIA LINDA CFD



PARCEL EXHIBIT VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT OF SCOTTSDALE ARIZONA

CURVE	ARC	DELTA	RADIUS
C1	145.32	14°36'27"	570.00
C2	58.64	14°36'27"	230.00
C3	334.67	26°37'55"	720.00

LINE	BEARING	DISTANCE
L1	N 89°34'57" E	160.00
L2	S 55°39'14" E	70.36
L3	S 80°32'53" E	610.13
L4	S 00°21'22" W	327.22
L5	S 53°25'51" W	531.99
L6	S 09°34'39" W	667.60
L7	S 22°10'09" W	509.43
L8	S 83°07'46" W	164.43
L9	S 16°22'26" W	70.47
L10	S 69°37'46" W	76.07
L11	S 34°58'42" E	340.00
L12	N 69°37'46" E	285.92
L13	N 42°59'51" E	137.70
L14	S 47°03'55" E	715.11
L15	N 89°56'04" E	455.43

