

McDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT

ACTION REPORT:

TO: Chairman and Board Members
FROM: City Treasurer Office
SUBJECT: ADOPT Resolution No. 69 Approving Proposed Budget and Ordering Hearing, and Resolution No. 70 Adopting FY 2022/23 Budget for District

DATE: 6/07/22

AGENDA ITEM NO.: 01

STAFF: Gina Kirklin (x25006)

ACTION

- ADOPT Resolution No. 69, approving the proposed District budget for FY 2022/23 and ordering a hearing,
- CALL FOR PUBLIC TESTIMONY on the District budget, and
- ADOPT Resolution No. 70, adopting the District budget for FY 2022/23.

BACKGROUND

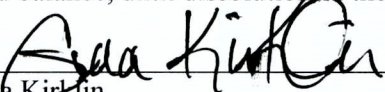
The McDowell Mountain Community Facilities District (District) was formed in 1994 to facilitate the financing, acquisition and construction of public infrastructure within the District. To date, \$18,860,000 of tax-exempt bonds were issued and will be paid in full on July 15, 2022. The District will 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, 2022 on the bonds and therefore a tax assessment is no longer necessary.

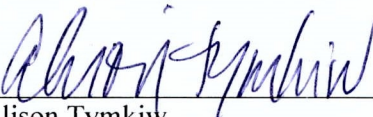
The FY 2022/23 proposed budget (see Exhibit A of Attachment #1) has been prepared pursuant to the requirements of the Arizona Revised Statutes. The first Resolution calls for approval of the proposed budget and a public hearing on the proposed budget and the second Resolution adopts the budget subsequent to the hearing (see Exhibit B of Attachment #2).

FISCAL IMPACT

The District will satisfy all debt service requirements on July 15, 2022 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. 69
Exhibit A - Proposed Budget FY 2022/23
Exhibit B - Notice of Hearing
 2. Resolution No. 70
Exhibit A - Notice of Hearing
Exhibit B - Adopted Budget FY 2022/23
Map of District

ACTION TAKEN: Resolution Nos. 69 and 70 - YES - 7/0

DRAFT

**MINUTES
DISTRICT BOARD
MCDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
TUESDAY, JUNE 8, 2020**

1. CALL TO ORDER

Chair David D. Ortega called to order a meeting of the District Board of the McDowell Mountain Ranch Community Facilities District at 6:20 P.M. on Tuesday, June 8, 2021, in the City Hall Kiva.

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

Also Present: District Clerk Ben Lane
Community Facilities District Treasurer Sonia Andrews
City Manager Jim Thompson
City Attorney Sherry Scott
City Auditor Sharron Walker

2. APPROVAL OF MINUTES OF TUESDAY, JUNE 16, 2020

Board Member Milhaven made a motion to approve the minutes of Tuesday, June 16, 2020. Board Member Caputi 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. 67, WHICH SETS OUT PROPOSED BUDGET AND CALLS FOR PUBLIC HEARING

Board Member Milhaven made a motion to adopt Resolution No. 67, which sets out the proposed budget and calls for a public hearing. Board Member Caputi 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. CALL FOR PUBLIC COMMENTS ON THE BUDGET

No public comments were received.

5. ADOPT RESOLUTION NO. 68, WHICH APPROVES THE BUDGET AND SETS TAX LEVY

Board Member Milhaven made a motion to Adopt Resolution No. 68, which adopts the proposed budget and sets the tax levy. Board Member Caputi 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 Milhaven made a motion to adjourn. 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.

With no further business to discuss, Chair Ortega adjourned the meeting at 6:22 P.M.

SUBMITTED BY:



**Ben Lane
District Clerk**

Officially approved by the District Board on _____

DRAFT

McDowell Mountain Ranch Community Facilities District
Tuesday, June 8, 2021

Minutes
Page 3 of 3

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 McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona held on the 8th day of June 2021.

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

DATED this _____ day of June 2022.

Ben Lane, District Clerk

**MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

RESOLUTION NO. 69

A RESOLUTION OF THE DISTRICT BOARD OF THE
MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES
DISTRICT OF SCOTTSDALE, ARIZONA APPROVING A
PROPOSED DISTRICT BUDGET FOR FY 2022/23 AND
ORDERING A HEARING ON SUCH BUDGET AS APPROVED

WHEREAS, pursuant to Section 48-716 of the Arizona Revised Statutes, the Treasurer of the McDowell Mountain Ranch 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 2022/23 (the "Proposed Budget"); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operation expenses for FY 2022/23, 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 25, 2022,

NOW, THEREFORE, BE IT RESOLVED by the District Board of the McDowell Mountain Ranch 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 McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona this 7th day of June, 2022.

Chairman, District Board
McDowell Mountain Ranch Community
Facilities District of Scottsdale, Arizona

ATTEST:

Ben Lane, District Clerk
McDowell Mountain Ranch 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 2022/23
Exhibit B — Notice of Hearing

EXHIBIT A

**MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

PROPOSED BUDGET FY 2022/23

BEGINNING FUNDS AVAILABLE		\$	83,765
EXPENSES			
Insurance Premium	\$	(5,000)	
Legal Fees		(600)	
Advertising		(500)	
Administrative		(5,400)	
Estimated Closing Costs*		<u>(72,265)</u>	
Total Expenses			<u>(83,765)</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

**MCDOWELL MOUNTAIN RANCH 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 2022/23**

OF

**MCDOWELL MOUNTAIN RANCH 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 McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona for FY 2022/23 will be held by the District Board on June 7, 2022, 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. A copy of the Proposed Budget is on file with the Clerk of the City of Scottsdale, Arizona/District Clerk of McDowell Mountain Ranch 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.

* Please note that due to the ongoing COVID-19 pandemic, Scottsdale City Council meetings may be held virtually with access by the public limited to virtual attendance through electronic means. However, the meeting is currently planned to be held in person at the City Hall Kiva and also broadcast electronically through Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream"). Please check the City Council website at <https://www.scottsdaleaz.gov/council/meeting-information/agendas-minutes> for the specific agenda for this meeting and the latest updates regarding meetings and the opportunity for public participation and comment at this meeting.

DATED this 17th day of May, 2022.

/s/ District Manager
District Manager
McDowell Mountain Ranch Community
Facilities District of Scottsdale, Arizona

**MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

RESOLUTION NO. 70

A RESOLUTION OF THE DISTRICT BOARD OF THE MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT OF SCOTTSDALE, ARIZONA ADOPTING THE DISTRICT BUDGET FOR FY 2022/23

WHEREAS, pursuant to Section 48-716 of the Arizona Revised Statutes, the Treasurer of the McDowell Mountain Ranch 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 2022/23 (the "Proposed Budget"); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operating expenses of the District for FY 2022/23, as required by Section 48-723(C) of the Arizona Revised Statutes; and

WHEREAS, on June 7, 2022, the District Board adopted Resolution No. 69, 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 McDowell Mountain Ranch 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 2022/23.
2. *Effective Date.* This Resolution is effective immediately.

PASSED by the District Board of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona this 7th day of June, 2022.

Chairman, District Board
McDowell Mountain Ranch Community
Facilities District of Scottsdale, Arizona

ATTEST:

Ben Lane, District Clerk
McDowell Mountain Ranch 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 2022/23

EXHIBIT A

**MCDOWELL MOUNTAIN RANCH 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 2022/23**

OF

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DATED this 17th day of May, 2022.

/s/ District Manager
District Manager
McDowell Mountain Ranch Community
Facilities District of Scottsdale, Arizona

EXHIBIT B

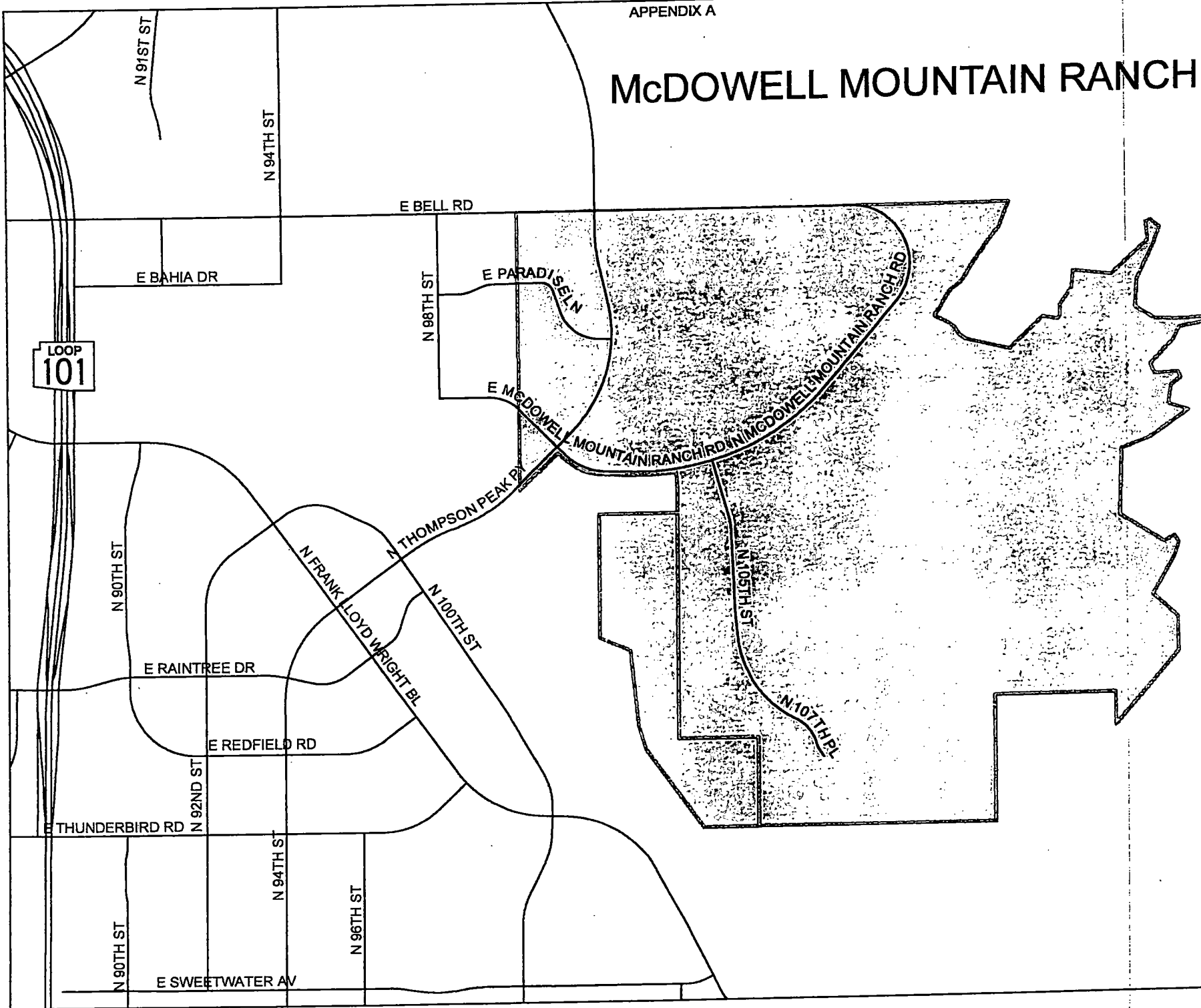
**MCDOWELL MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

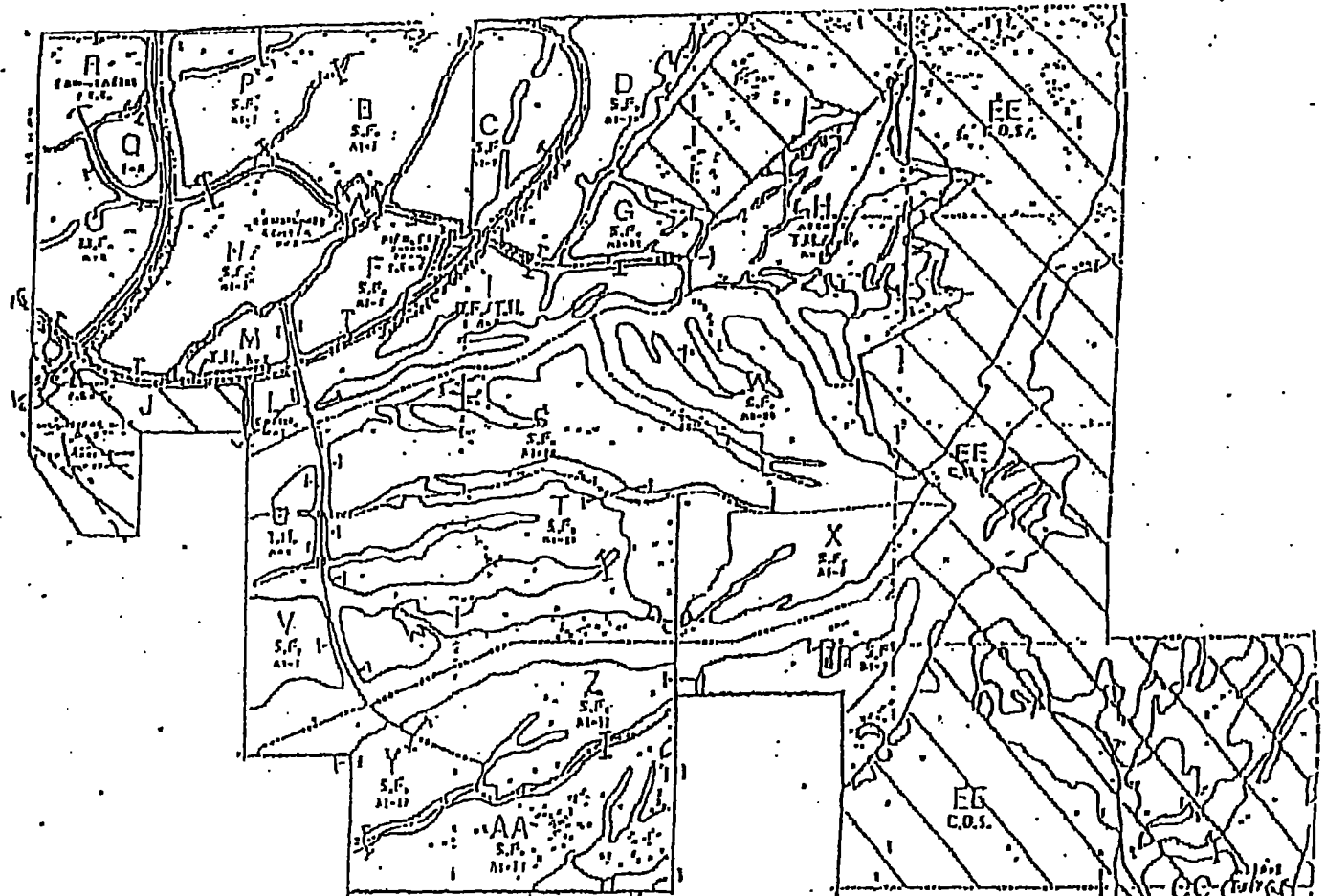
ADOPTED BUDGET FY 2022/23

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Total Expenses			<u>(83,765)</u>
ENDING FUNDS AVAILABLE		\$	<u>0</u>

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MCDOWELL MOUNTAIN RANCH CFD



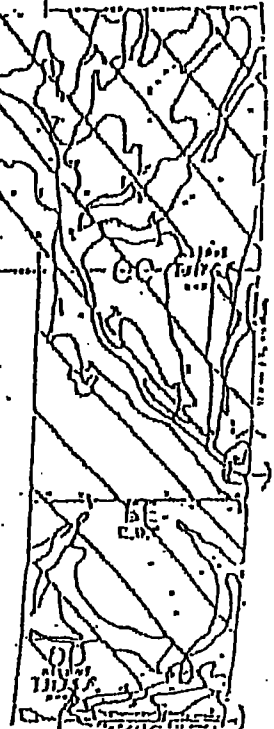


CFD BOUNDARY MAP

- CFD BOUNDARY
- ▨ NOT A PART OF

DEVELOPMENT MASTER PLAN
MCDOWELL MOUNTAIN RANCH
NBCF • THE NATIONAL BUREAU OF FIRE PROTECTION
A NOT-FOR-PROFIT CORPORATION

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11/98



NW COR. NE 1/4,
NE 1/4, SEC. 8

S89°46'42"E 1321.82'

NE COR.
SEC. 8

(P.O.B.)

SW COR. NE 1/4,
NE 1/4, SEC. 8

N00°00'04"E 1320.73'

N00°01'27"E 782.21'

N67°40'32"W
550.03'

N05°49'20"W 1266.91'

N17°41'13"W 411.71'

N36°07'19"W

1027.67'

SE COR. SW 1/4,
SW 1/4, SEC. 9

N69°55'40"W 808.15'

2641.60'
500°00'35"W

500°01'08"W 1155.24'

E 1/4 COR.
SEC. 8
(W. 1/4, SEC. 9)

NW COR. S 1/2, S 1/2,
S 1/2, NW 1/4, SW 1/4,
SEC. 9

S89°57'53"E 1315.96'

NE COR. S 1/2, S 1/2,
S 1/2, NW 1/4, SW 1/4,
SEC. 9

500°00'34"W 1404.00'

*McDonnell
Mountain*

CFD Expansion
"EXHIBIT"



1" = 600'



Clouse Engineering, Inc.
ENGINEERS & SURVEYORS

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