

# VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT

**ACTION REPORT:**

**TO:** Chairman and Board Members      **DATE:** 6/07/22  
**FROM:** City Treasurer Office  
**SUBJECT:** ADOPT Resolution No. 53 Approving Proposed Budget and  
Ordering Hearing, and Resolution No. 54 Adopting FY 2022/23  
Budget and Tax Levy for District

**AGENDA ITEM NO.: 01****STAFF:** Gina Kirklin (x25006)**ACTION**

- ADOPT Resolution No. 53, 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. 54, adopting the District budget for FY 2022/23 and ordering a tax levy.

**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 have been issued.

The District was responsible for the installation of infrastructure, which benefits existing and future residents of the District and the City. A final tax assessment is necessary to pay the FY 2022/23 debt service on the District's bonds and the FY 2022/23 through FY 2027/28 District operation and maintenance expenses.

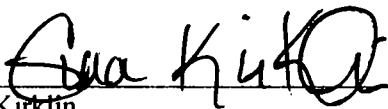
The FY 2022/23 proposed budget (see Exhibit A of Attachment #1) has been prepared pursuant to the requirements of the Arizona Revised Statutes. The District considers anticipated administrative costs and uncollectable accounts, and may reduce cash balances as needed to comply with Arizona Revised Statutes § 48-719(D). 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). The second Resolution also sets the tax levy for the District.

**FISCAL IMPACT**

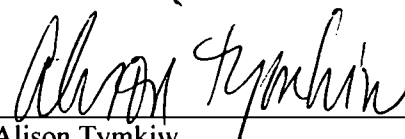
The District will levy on District property an *ad valorem* tax of \$268,223 resulting in an estimated tax rate for existing and future property owners of \$1.1961 per \$100.00 of net assessed limited property value. This is an increase of \$42,338 from the previous year's tax levy and an increase of \$.1550 from the previous year's tax rate published by Maricopa County.

While FY 2022/23 is the last year the District will levy taxes, the District will continue to exist for five additional years and continue to have District operating expenses. Because the District will no longer levy taxes but exist for the next five years, the FY 2022/23 tax rate increase is driven by five-years of forecasted District operating expenses. Existing and future residents of the District will no longer have a Via Linda Road Community Facilities District property tax assessment after FY 2022/23.

The project development agreement fully discloses this tax to all purchasers of property in the District.



Gina Kirklin  
Report Author



Alison Tymkiw  
District Manager

**ACTION TAKEN:** Adopt Resolution Nos. 53 and 54 - YES - 7/0

- Attachments:
1. Resolution No. 53
    - Exhibit A - Proposed Budget FY 2022/23
    - Exhibit B - Notice of Hearing
  2. Resolution No. 54
    - Exhibit A - Notice of Hearing
    - Exhibit B - Adopted Budget FY 2022/23
    - Exhibit C - Tax Levy
    - Map of District

DRAFT

**MINUTES  
DISTRICT BOARD  
VIA LINDA ROAD  
COMMUNITY FACILITIES DISTRICT  
TUESDAY, JUNE 8, 2021**

**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 6:25 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 Durham made a motion to approve the minutes of Tuesday, June 16, 2020. Board Member Milhaven 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. 51, WHICH SETS OUT PROPOSED BUDGET AND CALLS FOR PUBLIC HEARING**

Board Member Milhaven made a motion to adopt Resolution No. 51, which sets out the proposed budget and calls for a public hearing. 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.

**4. CALL FOR PUBLIC COMMENTS ON THE BUDGET**

No public comments were received.

**5. ADOPT RESOLUTION NO. 52, WHICH APPROVES THE BUDGET AND SETS TAX LEVY**

Board Member Milhaven made a motion to adopt Resolution No. 52, which adopts the proposed budget and sets the tax levy. 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.

DRAFT

Via Linda Road Community Facilities District  
Tuesday, June 8, 2021

Minutes  
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**6. ADJOURNMENT**

Board Member Milhaven made a motion to adjourn. 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.

With no further business to discuss, Chair Ortega adjourned the meeting at 6:27 P.M.

**SUBMITTED BY:**



**Ben Lane  
District Clerk**

**Officially approved by the District Board on \_\_\_\_\_**

DRAFT

Via Linda Road Community Facilities District  
Tuesday, June 8, 2021

Minutes  
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**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 8<sup>th</sup> 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 2020.

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**Ben Lane, District Clerk**

VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT  
OF SCOTTSDALE, ARIZONA

RESOLUTION NO. 53

A RESOLUTION OF THE DISTRICT BOARD OF THE VIA LINDA ROAD 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 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 2022/23 (the "Proposed Budget"); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operation and maintenance expenses, together with the debt service payment of the District 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 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 7th day of June, 2022.

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

ATTEST:

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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 2022/23
- Exhibit B — Notice of Hearing

**EXHIBIT A**

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

**PROPOSED BUDGET FY 2022/23**

|                                      |                 |                    |
|--------------------------------------|-----------------|--------------------|
| <b>BEGINNING FUNDS AVAILABLE</b>     |                 | <b>\$ 36,242</b>   |
| <b>REVENUES</b>                      |                 |                    |
| Net Assessed Limited Property Value* | \$22,424,794    |                    |
| Estimated Tax Rate                   | \$1.1961        |                    |
| Property Tax Collections **          |                 | 268,223            |
| <b>EXPENSES</b>                      |                 |                    |
| Debt Service                         | (215,460)       |                    |
| Insurance Premium                    | (5,000)         |                    |
| Trustee Fees                         | (1,000)         |                    |
| Legal Fees                           | (600)           |                    |
| Advertising                          | (500)           |                    |
| Administrative                       | (5,400)         |                    |
| Closing Costs                        | <u>(76,505)</u> |                    |
| Total Expenses                       |                 | <u>(304,465)</u>   |
| <b>ENDING FUNDS AVAILABLE</b>        |                 | <b><u>\$ 0</u></b> |

\* Source: Maricopa County Assessor's Office, as of February 2022

\*\* Net Assessed Limited Property Value x Estimated Tax Rate/100



**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 2022/23**

**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 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 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.

\* 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](https://www.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  
Via Linda Road Community Facilities  
District of Scottsdale, Arizona

VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT  
OF SCOTTSDALE, ARIZONA

RESOLUTION NO. 54

A RESOLUTION OF THE DISTRICT BOARD OF THE VIA LINDA ROAD  
COMMUNITY FACILITIES DISTRICT OF SCOTTSDALE, ARIZONA  
ADOPTING THE DISTRICT BUDGET FOR FY 2022/23 AND LEVYING  
A TAX

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 2022/23 (the "Proposed Budget"); and

WHEREAS, the Proposed Budget sets forth the annual statements and estimates of the operation and maintenance expenses, together with the debt service payment 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. 53 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 2022/23.
2. *Tax Levy.* A tax levy (the "Tax Levy") in the form attached hereto as Exhibit C is hereby ordered, approved and adopted, and the District Clerk is hereby directed to deliver certified copies of the Tax Levy to the Maricopa County (Arizona) Board of Supervisors, to the Arizona Department of Revenue and to any entity acting as trustee for any District bonds.
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 7th day of June, 2022.

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

ATTEST:

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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 2022/23  
Exhibit C — Tax Levy

**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 2022/23**

**OF**

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

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DATED this 17th day of May, 2022.

/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 2022/23**

|                                      |                 |                    |
|--------------------------------------|-----------------|--------------------|
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| Advertising                          | (500)           |                    |
| Administrative                       | (5,400)         |                    |
| Closing Costs                        | <u>(76,505)</u> |                    |
| Total Expenses                       |                 | <u>(304,465)</u>   |
| <b>ENDING FUNDS AVAILABLE</b>        |                 | <b><u>\$ 0</u></b> |

\* Source: Maricopa County Assessor's Office, as of February 2022

\*\* Net Assessed Limited Property Value x Estimated Tax Rate/100

**EXHIBIT C**

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

**TAX LEVY**

PURSUANT TO RESOLUTION NO. 54 passed on June 7, 2022 by the Board of Directors of the Via Linda Road Community Facilities District of Scottsdale, Arizona (the "District"), it is hereby ordered levying an *ad valorem* tax on the net assessed limited property value of all taxable property within the District for FY 2022/23 at a rate sufficient to produce \$268,223 for debt service on outstanding bonds of the District and operation and maintenance expenses of the District. A map of the District is attached hereto as Appendix A.

DATED: June 7, 2022.

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

ATTEST:

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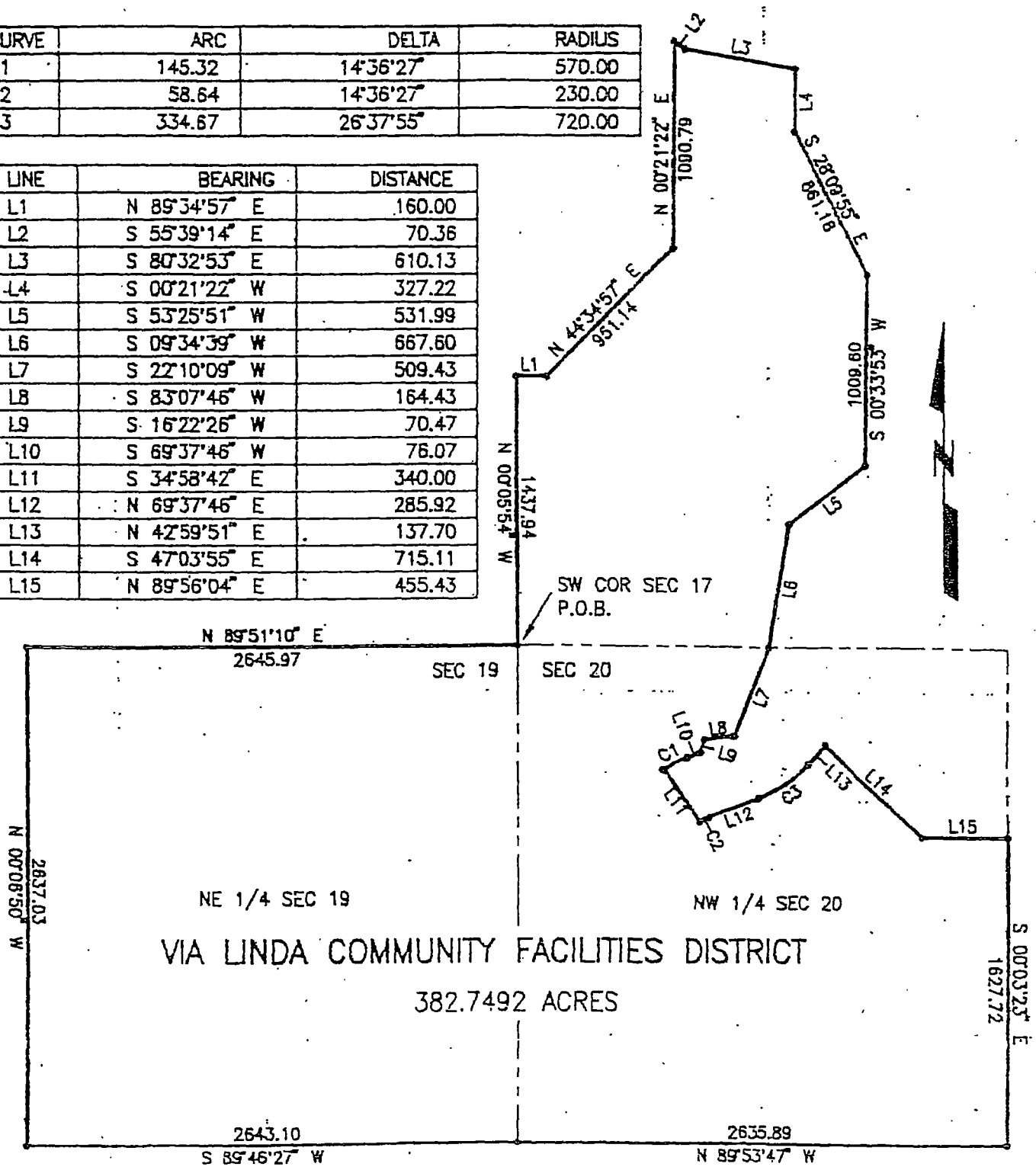
District Clerk  
Via Linda Road Community Facilities  
District of Scottsdale, Arizona



# 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   |



VIA LINDA COMMUNITY FACILITIES DISTRICT

382.7492 ACRES