

NOTICE OF MEETING

SPECIAL MEETING

EAGLE MOUNTAIN COMMUNITY

FACILITIES DISTRICT BOARD

ACTION TAKEN

District Board Chairman Ginny Dickey

Vice Chairman Art Tolis
Director Dennis Brown
Director Sherry Leckrone

Director Alan Magazine
Director Mike Scharnow
Director David Spelich

TIME: 5:25 P.M. – SPECIAL MEETING
WHEN: TUESDAY, JUNE 18, 2019
WHERE: FOUNTAIN HILLS TOWN HALL – COUNCIL CHAMBERS
16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

Directors of the District Board of the Eagle Mountain Community Facilities District will attend either in person or by telephone conference call; a quorum of the Town's various commission, committee or board members may be in attendance at the meeting.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions makes a video or audio recording of a minor child. Meetings of the District Board of the Eagle Mountain Communities Facilities District are audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

1. CALL TO ORDER – District Chairman Ginny Dickey
2. ROLL CALL – District Chairman Ginny Dickey
3. CONSIDERATION OF approving the Eagle Mountain Community Facilities District Board Meeting Minutes of May 7, 2019, and June 4, 2019.
MOTION TO APPROVE; PASSED UNANIMOUSLY.
4. CONSIDERATION OF Resolution EMCFD 2019-03 levying upon the assessed valuation of the property within the District subject to ad valorem taxation, a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the annual budget, specifically for the purpose of paying principal and interest upon bonded indebtedness; all for the fiscal year beginning July 1, 2019, and ending June 20, 2020.
MOTION TO APPROVE; PASSED UNANIMOUSLY.
5. ADJOURNMENT

DATED this ____ day of June, 2019.

Elizabeth A. Burke, MMC, Town Clerk

**EAGLE MOUNTAIN COMMUNITY FACILITIES DISTRICT
SPECIAL MEETING OF MAY 7, 2019
5:29 P.M.
FOUNTAIN HILLS TOWN HALL COUNCIL CHAMBERS
16705 EAST AVENUE OF THE FOUNTAINS
FOUNTAIN HILLS, ARIZONA**

MINUTES

1. CALL TO ORDER – District Chairman Ginny Dickey

Chairman Dickey called the meeting to order at 5:29 p.m.

2. ROLL CALL – District Chairman Ginny Dickey

BOARD MEMBERS PRESENT: Chairman Ginny Dickey; Vice Chairman Art Tolis; Directors Mike Scharnow, Dennis Brown, Alan Magazine, Sherry Leckrone and David Spelich.

BOARD MEMBERS ABSENT: Vice Chairman Art Tolis.

STAFF PRESENT: District Manager Grady E. Miller; District Attorney Aaron D. Arnson; and District Clerk Elizabeth A. Burke.

3. CONSIDERATION OF approving the Eagle Mountain Community Facilities District Board Meeting Minutes of June 19, 2018.

Director Magazine **MOVED** to approve the minutes of June 19, 2018; **SECONDED** by Director Brown; passed unanimously.

4. PUBLIC HEARING AND CONSIDERATION OF Resolution EMCFD 2019-01 approving the Tentative Budget of the District for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, and setting a hearing date for the budget and tax levy.

Chairman Dickey opened the Public Hearing.

Finance Director Craig Rudolphy said that the annual expenditures for the district are strictly debt service to retire outstanding bonds. Those bonds will be retired July 1, 2021. He said that the tax levy only applies to property owners in Eagle Mountain.

Chairman Dickey closed the Public Hearing.

Director Brown **MOVED** to approve; **SECONDED** by Director Magazine; passed unanimously.

5. ADJOURNMENT

Director Scharnow **MOVED** to adjourn; **SECONDED** by Director Brown; passed unanimously.

The Special Meeting of the Eagle Mountain Community Facilities District Board held June 4, 2019, adjourned at 5:32 p.m.

District Chairman Ginny Dickey

ATTEST:

District Clerk Elizabeth A. Burke

**EAGLE MOUNTAIN COMMUNITY FACILITIES DISTRICT
SPECIAL MEETING OF JUNE 4, 2019
5:25 P.M.
FOUNTAIN HILLS TOWN HALL COUNCIL CHAMBERS
16705 EAST AVENUE OF THE FOUNTAINS
FOUNTAIN HILLS, ARIZONA**

MINUTES

1. CALL TO ORDER – District Chairman Ginny Dickey

Chairman Dickey called the meeting to order at 5:26 p.m.

2. ROLL CALL – District Chairman Ginny Dickey

BOARD MEMBERS PRESENT: Chairman Ginny Dickey; Vice Chairman Art Tolis (telephonically); Directors Mike Scharnow, Dennis Brown, Alan Magazine, Sherry Leckrone and David Spelich.

BOARD MEMBERS ABSENT: None

STAFF PRESENT: District Manager Grady E. Miller; District Attorney Aaron D. Arnson; and Acting District Clerk Angela Padgett-Espiritu.

3. CONSIDERATION OF approving the Eagle Mountain Community Facilities District Board Meeting Minutes of May 7, 2019.

No discussion/action taken.

4. PUBLIC HEARING AND CONSIDERATION OF Resolution EMCFD 2019-02 approving the Tentative Budget of the District as the Final Budget of the District for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, and setting a hearing date for the budget and tax levy.

Chairman Dickey opened the Public Hearing.

Mr. Miller said that this district was formed nearly 20 years ago to provide for infrastructure in the Eagle Mountain area. The total amount is \$413,282.00 and staff was recommending approval.

Chairman Dickey closed the Public Hearing.

Director Magazine **MOVED** to approve; **SECONDED** by Director Scharnow; passed unanimously.

5. ADJOURNMENT

Director Scharnow **MOVED** to adjourn; **SECONDED** by Director Brown; passed unanimously.

The Special Meeting of the Eagle Mountain Community Facilities District Board held June 4, 2019, adjourned at 5:29 p.m.

District Chairman Ginny Dickey

ATTEST:

District Clerk Elizabeth A. Burke



TOWN OF FOUNTAIN HILLS
Eagle Mountain Community Facilities District

AGENDA ACTION FORM

Meeting Date: 6/18/2019

Meeting Type: Special Session

Agenda Type: Regular

Submitting Department: Administration

Staff Contact Information: David Pock, District Finance Director, 480-816-5162, dpock@fh.az.gov

REQUEST TO DISTRICT BOARD (Agenda Language): CONSIDERATION of RESOLUTION EMCFD 2019-03 LEVYING upon the assessed valuation of the property within the District subject to ad valorem taxation, a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the annual budget, specifically for the purpose of paying principal and interest upon bonded indebtedness; all for the fiscal year beginning July 1, 2019, and ending June 30, 2020.

Applicant:

Applicant Contact Information:

Property Location:

Related Ordinance, Policy or Guiding Principle:

Staff Summary (background): The Eagle Mountain Community Facilities District was formed by the Town Council in FY 1996 for the purpose of construction infrastructure in the Eagle Mountain subdivision. The Town Council serves as the governing Board for the District. The District issued bonds in 1996 to repay the costs associated with infrastructure improvements. The annual expenditures for the District bonds are repaid from ad valorem taxes collected from the residents of the community. The 2019 assessed value for Eagle Mountain CFD is estimated to be \$30,502,953. The FY 2019-20 debt service payment is \$408,992. Therefore, a tax levy of approximately \$1.3541 per \$100 of assessed valuation (compared to \$1.3723 last year) will provide sufficient revenue for the annual debt payment and administrative costs. The bonds will be retired in FY 2020-21.

Risk Analysis (options or alternatives with implications):

Fiscal Impact (initial and ongoing costs; budget status): \$413,282

Budget Reference (page number): pp 329, 334

Funding Source: NA

If Multiple Funds utilized, list here:

Budgeted; if No, attach Budget Adjustment Form: Y N

Staff Recommendation(s): Approve

List Attachment(s): Resolution EMCFD 2019-03

SUGGESTED MOTION (for District Board use): Move to approve Resolution EMCFD 2019-03.

Prepared by:

NA
enter a date.

[Click here to](#)

Director's Approval:



Craig Rudolph, District Finance Director 6/4/2019

DAVID PACK

Approved:



Grady E. Miller, District Manager 6/4/2019

RESOLUTION EMCFD 2019-03

A RESOLUTION OF THE BOARD OF THE EAGLE MOUNTAIN COMMUNITY FACILITIES DISTRICT, MARICOPA COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE DISTRICT SUBJECT TO AD VALOREM TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNTS ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, SPECIFICALLY FOR THE PURPOSE OF PAYING PRINCIPAL AND INTEREST UPON BONDED INDEBTEDNESS; ALL FOR FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING ON JUNE 30, 2020

RECITALS:

WHEREAS, in accordance with ARIZ. REV. STAT. § 48-716 and following published notice, public hearings were conducted on May 7, 2019, and June 4, 2019, at which hearings any taxpayer was permitted to appear and be heard regarding the 2019-20 annual budget for the Eagle Mountain Community Facilities District, Maricopa County, Arizona (the "District");

WHEREAS, on June 4, 2019, the District Board adopted Resolution EMCFD 2019-02, approving the District's annual budget; and

WHEREAS, in accordance with ARIZ. REV. STAT. § 48-723, the District Board desires to levy such amounts as necessary for the District's 2019-20 annual budget.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all taxable property, both real and personal, within the corporate limits of the District and not exempt from taxation, an ad valorem property tax rate of \$1.3541, or such other rate as determined by the Maricopa County Treasurer, to be sufficient to raise the aggregate amount of \$413,042, for the purpose of paying principal and interest on bonded indebtedness for the District for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

SECTION 3. Failure by the officials of Maricopa County, Arizona, to properly return the delinquent list, any irregularity in the assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by any tax or foreclosure deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them, shall not invalidate any proceedings or any deed or sale pursuant thereto, the validity of the assessment and levy of taxes or of the judgment or sale by which the collection of the same may be enforced or in any manner affect the lien of the District upon such property for the delinquent taxes unpaid thereon, and no overcharge as to part of the taxes or of costs shall invalidate any proceedings for collecting of taxes or the foreclosure, and all acts of officers de facto shall be valid as if performed by officers de jure.

SECTION 4. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed.

SECTION 5. The District Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Maricopa County Board of Supervisors and to the Arizona Department of Revenue.

SECTION 6. If any provision of this Resolution is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Resolution.

SECTION 7. The District Chairperson, the District Clerk, and the District Counsel are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Eagle Mountain Community Facilities District, Maricopa County, Arizona, this 18th day of June, 2019.

Ginny Dickey, District Chairperson

ATTEST:

Elizabeth A. Burke, District Clerk

APPROVED AS TO FORM:

Aaron D. Arnson, Pierce Coleman PLLC
District Counsel

CERTIFICATION

I, Elizabeth A. Burke, the duly appointed Clerk of the Eagle Mountain Community Facilities District, do hereby certify that the above and foregoing Resolution No. 2019-03 was duly passed by the Chairperson and District Board of the Eagle Mountain Community Facilities District, at a regular meeting held on June 18, 2019, and the roll call of the vote thereon was ___Ayes and ___Nays and that the Chairperson and ___board members were present thereat.

Elizabeth A. Burke, District Clerk
Eagle Mountain Community Facilities District