

**NOTICE OF SPECIAL SESSION OF THE
EAGLE MOUNTAIN COMMUNITY
FACILITIES DISTRICT BOARD**

WHEN: TUESDAY, JUNE 19, 2018
TIME: 5:25 P.M.
WHERE: TOWN OF FOUNTAIN HILLS - COUNCIL CHAMBERS
16705 EAST AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

Pursuant to A.R.S. §38-431.02, notice is hereby given to the Directors of the District Board of the Eagle Mountain Community Facilities District and to the general public that the District Board of the Eagle Mountain Community Facilities District will hold a special session open to the public, which will begin immediately prior to the June 19, 2018, Cottonwoods Maintenance District Board Meeting and Fountain Hills Town Council meeting.


Members of the Eagle Mountain Community Facilities District Board will attend either in person or by telephone conference call; a quorum of the Town’s various Commissions or Boards may be in attendance at the Board 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 make a video or audio recording of a minor child. Meetings of the District Board 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 District 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 District Board will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.”

AGENDA

- **CALL TO ORDER AND ROLL CALL.** – District Board Chair Linda M. Kavanagh **5:30 PM**
- **CALL TO THE PUBLIC.**
 Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Directors is subject to reasonable time, place and manner restrictions. The Directors will not discuss or take legal action on matters raised during “Call to the Public” unless the matters are properly noticed for discussion and legal action. At the conclusion of the “Call to the Public”, individual Directors may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future agenda.
- 1. **CONSIDERATION** of approving the Eagle Mountain Community Facilities District Board MEETING MINUTES of June 5, 2018. **APPROVED**
- 2. **CONSIDERATION** of RESOLUTION EMCFD 2018-03, 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 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 on July 1, 2018, and ending on June 30, 2019. **APPROVED**
- 3. **ADJOURNMENT. 5:33 PM**

DATED this 7th day of June, 2018.


 Bevelyn J. Bender, District Clerk

The Eagle Mountain Community Facilities District, in cooperation with the Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 voice or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished with this agenda are available for review in the Clerk’s office and on the Town’s website [www.fh.az.gov].

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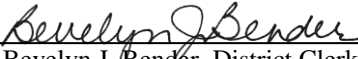
AGENDA

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1. **CONSIDERATION** of approving the Eagle Mountain Community Facilities District Board MEETING MINUTES of June 5, 2018.
2. **CONSIDERATION** of RESOLUTION EMCFD 2018-03, 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 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 on July 1, 2018, and ending on June 30, 2019.
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TOWN OF FOUNTAIN HILLS
Eagle Mountain Community Facilities District (EMCFD)

AGENDA ACTION FORM

Meeting Date: 6/19/2018

Meeting Type: Regular Session

Agenda Type: Regular

Submitting Department: Community Services

Staff Contact Information: Bevelyn J. Bender, District Clerk, 480-816-5115, bbender@fh.az.gov

REQUEST TO COUNCIL (Agenda Language): CONSIDERATION of approving the Eagle Mountain Community Facilities District board meeting MINUTES from June 5, 2018.

Applicant: NA

Applicant Contact Information: NA

Owner: NA

Owner Contact Information: NA

Property Location: NA

Related Ordinance, Policy or Guiding Principle: A.R.S. §38-431.01

Staff Summary (background):

The intent of approving meeting minutes is to ensure an accurate account of the discussion and action taken at that meeting for archival purposes. Approved minutes are placed on the Town's web site in compliance with state law.

Risk Analysis (options or alternatives with implications): NA

Fiscal Impact (initial and ongoing costs; budget status): NA

Budget Reference (page number): NA

Funding Source: NA

If Multiple Funds utilized, list here:

Budgeted; if No, attach Budget Adjustment Form: NA

Recommendation(s) by Board(s) or Commission(s): NA

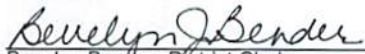
Staff Recommendation(s): Approve

List Attachment(s): None

SUGGESTED MOTION (for Council use):

Move to approve the June 5, 2018 meeting minutes

Prepared by:



Bevelyn Bender, District Clerk

6/7/2018

Director's Approval:



Grady E. Miller, District Manager

6/11/2018

Approved:



Grady E. Miller, District Manager

6/11/2018



TOWN OF FOUNTAIN HILLS
Eagle Mountain Community Facilities District

AGENDA ACTION FORM

Meeting Date: 6/19/2018

Meeting Type: Special Session

Agenda Type: Regular

Submitting Department: Administration

Staff Contact Information: Craig Rudolphy, District Finance Director, 480-816-5162, crudolphy@fh.az.gov

REQUEST TO DISTRICT BOARD (Agenda Language): CONSIDERATION of RESOLUTION EMCFD 2018-03 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, 2018, and ending June 30, 2019.

Applicant:

Applicant Contact Information:

Property Location:

Related Ordinance, Policy or Guiding Principle:

Staff Summary (background): The Eagle Mountain Community Facilities District (CFD) issued bonds in 1996 to repay the costs associated with infrastructure improvements. The bonds are repaid annually from ad valorem taxes collected from the residents of the community. The 2018 assessed value for Eagle Mountain CFD is estimated to be \$29,859,894. The FY 2017-18 debt service payment is \$405,768. Therefore, a tax levy of approximately \$1.3724 per \$100 of assessed valuation (compared to \$1.2877 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): \$410,026

Budget Reference (page number): p 327

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 2018-03

SUGGESTED MOTION (for District Board use): Move to approve Resolution EMCFD 2018-03.

Prepared by:

NA
enter a date.

[Click here to](#)

Director's Approval:



Craig Rudolph, District Finance Director 6/5/2018

Approved:



Grady E. Miller, District Manager 6/5/2018

RESOLUTION EMCFD 2018-03

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, 2018, AND ENDING ON JUNE 30, 2019.

WHEREAS, in accordance with ARIZ. REV. STAT. § 48-716 and following published notice, public hearings were conducted on May 1, 2018, and June 5, 2018, at which hearings any taxpayer was permitted to appear and be heard regarding the 2018-19 annual budget for the Eagle Mountain Community Facilities District, Maricopa County, Arizona (the "District");

WHEREAS, on June 5, 2018 the District Board adopted Resolution EMCFD 2018-02, 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 2018-19 annual budget.

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 \$1.3724, or such other rate as determined by the Maricopa County Treasurer, to be sufficient to raise the aggregate amount of \$410,026, for the purpose of paying principal and interest on bonded indebtedness for the District for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

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 of 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, June 19, 2018.

Linda M. Kavanagh, District Chairperson

ATTEST:

Bevelyn J. Bender, District Clerk

APPROVED AS TO FORM:

Mitesh V. Patel, Interim District Counsel
Dickinson Wright PLLC

CERTIFICATION

I, Bevelyn J. Bender, the duly appointed Clerk of the Eagle Mountain Community Facilities District, do hereby certify that the above and foregoing Resolution No. 2018-03 was duly passed by the Chairperson and District Board of the Eagle Mountain Community Facilities District, at a regular meeting held on June 19, 2018, and the roll call of the vote thereon was ____ Ayes, ____ Nays, and that the Chairperson and ____ board members were present thereat.

Bevelyn J. Bender, District Clerk
Eagle Mountain Community Facilities District