

RESOLUTION MPCFD2011-01

MARLEY PARK COMMUNITY FACILITIES DISTRICT

A RESOLUTION OF THE DISTRICT BOARD OF THE MARLEY PARK COMMUNITY FACILITIES DISTRICT, A COMMUNITY FACILITIES DISTRICT OF ARIZONA, APPROVING A TENTATIVE BUDGET FOR FISCAL YEAR 2011-2012 PURSUANT TO SECTION 48-716, ARIZONA REVISED STATUTES, AS AMENDED; SETTING A PUBLIC HEARING DATE ON SAID TENTATIVE BUDGET; FILING STATEMENTS AND ESTIMATES OF THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, THE COSTS OF CAPITAL IMPROVEMENTS TO BE FINANCED BY THE APPROVED AD VALOREM TAX LEVY, AND THE AMOUNT OF ALL OTHER EXPENDITURES FOR PUBLIC INFRASTRUCTURE AND ENHANCED MUNICIPAL SERVICES PROPOSED TO BE PAID FROM THE TAX LEVY AND OF THE AMOUNT TO BE RAISED TO PAY GENERAL OBLIGATION BONDS OF THE DISTRICT, ALL OF WHICH SHALL BE PROVIDED FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY IN THE DISTRICT; PROVIDING FOR NOTICE OF FILING THE STATEMENTS AND ESTIMATES AND NOTICE OF A PUBLIC HEARING ON THE PORTIONS OF THE STATEMENTS AND ESTIMATES NOT RELATING TO DEBT SERVICE ON GENERAL OBLIGATION BONDS; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on February 12, 2004, the Mayor and Council of the City of Surprise, Arizona (the "City"), adopted Resolution No. 04-51 forming Marley Park Community Facilities District ("MPCFD"), a community facilities district in accordance with Section 48-701 et seq., Arizona Revised Statutes, as amended, as described in Exhibit "A" attached hereto and expressly made a part hereof, and;

WHEREAS, MPCFD is a special purpose district for purposes of Article IX, Section 19, Constitution of Arizona, a tax-levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1., 3.2, 4 and 5, Arizona Revised Statutes, as amended, and [except as otherwise provided in Section 48 708(B), Arizona Revised Statutes, as amended] is considered to be a municipal corporation and political subdivision of the State of Arizona, separate and apart from the City, and;

WHEREAS, a primary purpose for creating MPCFD was to finance certain public improvements needed for the development known as "Marley Park" through assessment of ad valorem taxes on all real and personal property within MPCFD, and;

WHEREAS, in accordance with Sections 48-719 and 48-723, Arizona Revised Statutes, as amended, a special election was held on December 7, 2004, wherein the qualified electors of MPCFD voted to issue general obligation bonds in the maximum amount of

\$80,000,000 to cover costs of public infrastructure purposes, and to levy and collect an annual ad valorem tax at a rate not to exceed thirty cents (30¢) per one hundred dollars (\$100) of assessed valuation for operation and maintenance expenses of MPCFD, and;

WHEREAS, in accordance with Sections 48-716 and 48-723, Arizona Revised Statutes, as amended, the District Treasurer of MPCFD has submitted to the District Board of MPCFD a proposed budget for Fiscal Year 2011-2012 which includes statements and estimates of the operation and maintenance expenses of MPCFD, the costs of capital improvements to be financed by the authorized ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds of MPCFD, all of which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property within MPCFD, and;

WHEREAS, the District Board of MPCFD desires now to approve said tentative budget for Fiscal Year 2011-2012, to publish notice of having filed the required statements and estimates, and to set a date (and publish a notice thereof) for a public hearing to receive comment on the tentative budget and, particularly, on the portions of the statements and estimates not relating to debt service on general obligation bonds, and;

WHEREAS, after said public hearing (and on or before October 1), the District Board of MPCFD expects to adopt a final budget by resolution, and;

WHEREAS, on or before the third Monday in August, the District Board of MPCFD also expects to order the fixing, levying and assessment of required ad valorem taxes and to cause certified copies of the order to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue;

WHEREAS, the FY 2011 levy rate was set at \$3.00 per \$100 assessed value because it would be in the best interests of the taxpayers as it is consistent with the \$3.00 expectation of the taxpayer, provide the largest cash balance to mitigate potential assessed value decreases expected over the next several years due to volatility of the real estate market and avoid rate spikes which reflect the levy rate decreasing and then increasing, that potential shortfalls in the general obligation bond debt service and administration and operation require consideration of establishment or revision of any rates, fees and charges;

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT BOARD OF THE MARLEY PARK COMMUNITY FACILITIES DISTRICT, AS FOLLOWS:

Section 1. That certain proposed budget prepared by the District Treasurer of MPCFD for Fiscal Year 2011-2012, attached hereto and expressly made a part hereof as Exhibit "B," is hereby tentatively approved.

Section 2. That the statements and estimates of the operation and maintenance expenses of MPCFD, the costs of capital improvements to be financed by the approved ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds of MPCFD in Fiscal Year 2011-2012 are hereby filed on forms of the Auditor General in accordance with Section 42-17101(3) and 48-723(C), Arizona Revised Statutes, as amended, and are attached hereto and expressly made a part hereof as Exhibit "C".

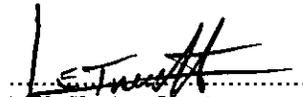
Section 3. That a public hearing date of **May 24, 2011**, beginning at or after 5:45 p.m. at the **City of Surprise Council Chambers 16000 N Civic Center Plaza, Surprise,**

Arizona, is hereby set to consider said tentative budget (including, but expressly not limited to, consideration of those portions of the statements and estimates not relating to debt service on general obligation bonds of MPCFD), and said notice (attached hereto and expressly made a part hereof as Exhibit "D") shall be published once in the Daily News Sun no later than ten (10) days prior to said hearing date.

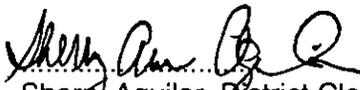
Section 4. That if any provision in this Resolution is held invalid by a court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

Section 5. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the District Board of the Marley Park Community Facilities District this 24th day of May 2011.


.....
L.E. Truitt, Chairman
District Board, Marley Park Community Facilities
District

ATTEST:


.....
Sherry Aguilar, District Clerk
Marley Park Community
Facilities District

1499052.1-6/23/11

OFFICAL BUDGET FORMS
Marley Park Community Facilities District
Fiscal Year 2012

Marley Park Community Facilities District

TABLE OF CONTENTS

Fiscal Year 2012

Resolution for the Adoption of the Budget

Schedule A—Summary Schedule of Estimated Revenues and Expenditures/Expenses

Schedule B—Summary of Tax Levy and Tax Rate Information

Schedule C—Summary by Fund Type of Revenues Other Than Property Taxes

Schedule D—Summary by Fund Type of Other Financing Sources/Uses and Interfund Transfers

Schedule E—Summary by Department of Expenditures/Expenses Within Each Fund Type

Schedule F—Summary by Department of Expenditures/Expenses

Marley Park Community Facilities District
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2012

FUND	ADOPTED BUDGETED EXPENDITURES/EXPENSES* 2011	ACTUAL EXPENDITURES/EXPENSES ** 2011	FUND BALANCE/NET ASSETS*** July 1, 2011**	PROPERTY TAX REVENUES 2012	ESTIMATED REVENUES OTHER THAN PROPERTY TAXES 2012	OTHER FINANCING 2012		INTERFUND TRANSFERS 2012		TOTAL FINANCIAL RESOURCES AVAILABLE 2012	BUDGETED EXPENDITURES/EXPENSES 2012
						SOURCES	<USES>	IN	<OUT>		
1. General Fund	\$	\$	\$	Primary: \$ Secondary:	\$	\$	\$	\$	\$	\$	\$
2. Special Revenue Funds											
3. Debt Service Funds Available	1,559,800	756,100	819,200	Secondary: 625,800	353,100					1,798,100	1,077,900
4. Less: Amounts for Future Debt Retirement											
5. Total Debt Service Funds	1,559,800	756,100	819,200	625,800	353,100					1,798,100	1,077,900
6. Capital Projects Funds											
7. Permanent Funds											
8. Enterprise Funds Available											
9. Less: Amounts for Future Debt Retirement											
10. Total Enterprise Funds											
11. Internal Service Funds											
12. TOTAL ALL FUNDS	\$ 1,559,800	\$ 756,100	\$ 819,200	\$ 625,800	\$ 353,100	\$	\$	\$	\$	\$ 1,798,100	\$ 1,077,900

EXPENDITURE LIMITATION COMPARISON

- | | 2011 | 2012 |
|--|------|------|
| 1. Budgeted expenditures/expenses | | |
| 2. Add/subtract: estimated net reconciling items | | |
| 3. Budgeted expenditures/expenses adjusted for reconciling items | | |
| 4. Less: estimated exclusions | | |
| 5. Amount subject to the expenditure limitation | | |
| 6. EEC or voter-approved alternative expenditure limitation | | |

The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts in this column represent Fund Balance/Net Asset amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

**Marley Park Community Facilities District
Summary of Tax Levy and Tax Rate Information
Fiscal Year 2012**

	2011	2012
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ _____	\$ _____
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ _____	\$ _____
B. Secondary property taxes	934,800	625,800
C. Total property tax levy amounts	\$ 934,800	\$ 625,800
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	\$ _____	
(3) Total primary property taxes	\$ _____	
B. Secondary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	\$ _____	
(3) Total secondary property taxes	\$ _____	
C. Total property taxes collected	\$ _____	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	_____	_____
(2) Secondary property tax rate	3.3000	3.3000
(3) Total city/town tax rate	3.3000	3.3000

B. Special assessment district tax rates
 Secondary property tax rates - As of the date the proposed budget was prepared, the city was operating 1 special assessment district for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

**Marley Park Community Facilities District
Summary by Fund Type of Revenues Other Than Property Taxes
Fiscal Year 2012**

<u>SOURCE OF REVENUES</u>	<u>ESTIMATED REVENUES 2011</u>	<u>ACTUAL REVENUES* 2011</u>	<u>ESTIMATED REVENUES 2012</u>
DEBT SERVICE FUNDS			
Marley Park Community Facility District Fund			
Interest	\$ 1,000	\$ 1,000	\$ 5,000
Intergovernmental revenues non-grant	\$ 1,000	\$ 1,000	\$ 348,100
Total Debt Service Funds	\$ 1,000	\$ 1,000	\$ 353,100

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

Marley Park Community Facilities District
Summary by Fund Type of Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2012

FUND	OTHER FINANCING 2012		INTERFUND TRANSFERS 2012	
	SOURCES	<USES>	IN	<OUT>
GENERAL FUND	\$	\$	\$	\$
Total General Fund	\$	\$	\$	\$
SPECIAL REVENUE FUNDS	\$	\$	\$	\$
Total Special Revenue Funds	\$	\$	\$	\$
DEBT SERVICE FUNDS	\$	\$	\$	\$
Total Debt Service Funds	\$	\$	\$	\$
CAPITAL PROJECTS FUNDS	\$	\$	\$	\$
Total Capital Projects Funds	\$	\$	\$	\$
PERMANENT FUNDS	\$	\$	\$	\$
Total Permanent Funds	\$	\$	\$	\$
ENTERPRISE FUNDS	\$	\$	\$	\$
Total Enterprise Funds	\$	\$	\$	\$
INTERNAL SERVICE FUNDS	\$	\$	\$	\$
Total Internal Service Funds	\$	\$	\$	\$
TOTAL ALL FUNDS	\$	\$	\$	\$

**Marley Park Community Facilities District
Summary by Department of Expenditures/Expenses Within Each Fund Type
Fiscal Year 2012**

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2011	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2011	ACTUAL EXPENDITURES/ EXPENSES* 2011	BUDGETED EXPENDITURES/ EXPENSES 2012
DEBT SERVICE FUNDS				
Marley Park Community Facility District Fund				
Debt Service	1,448,500		671,100	667,900
General Operations	111,300		85,000	410,000
Total Debt Service Funds	\$ 1,559,800	\$	\$ 756,100	\$ 1,077,900

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

**Marley Park Community Facilities District
Summary by Department of Expenditures/Expenses
Fiscal Year 2012**

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2011	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2011	ACTUAL EXPENDITURES/ EXPENSES * 2011	BUDGETED EXPENDITURES/ EXPENSES 2012
Debt Service				
Marley Park Community Facility District Fund	\$ 1,448,500	\$	\$ 671,100	\$ 667,900
Department Total	\$ 1,448,500	\$	\$ 671,100	\$ 667,900
General Operations				
Marley Park Community Facility District Fund	111,300	\$	85,000	410,000
Department Total	\$ 111,300	\$	\$ 85,000	\$ 410,000
TOTAL ALL DEPARTMENTS	\$ 1,559,800	\$	\$ 756,100	\$ 1,077,900

- Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.