

AGENDA ITEM #: \_\_\_\_\_

DATE: April 22, 2019

CAR #: EMRCFD 2019-598



## CFD BOARD ACTION REPORT

**SUBJECT:** Conduct a public hearing on the assessment; Board action for final confirmation and approval of assessment relating to Estrella Mountain Ranch Community Facilities District Lucero Assessment District No. 1 Special Assessment Revenue Bonds, Series 2019.

**STAFF PRESENTER(S):** Jared Askelson, Finance Manager

**OTHER PRESENTER(S):** None

**Summary:** The District Engineer has determined the public infrastructure benefitting the assessed residential lots is complete for purposes of the Board's confirmation and approval of the assessment. No objections to the assessment or the project have been submitted to the District. The Board will conduct a public hearing regarding the assessment. Following the public hearing the Board will consider EMRCFD RES 2019-126. This is the final and conclusive act of the Board relating to the procedures forming Lucero Assessment District No. 1 (the "Assessment District") and authorizing the issuance, sale and delivery of special assessment revenue bonds.

### **Recommendation:**

1. Conduct a public hearing.
2. ADOPT RESOLUTION EMRCFD RES 2019-126 APPROVING THE ASSESSMENT AND THE PROCEEDINGS HERETOFORE HAD AND TAKEN FOR THE ESTRELLA MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT (CITY OF GOODYEAR, ARIZONA), DETERMINING THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS FOR PURPOSES OF APPROVING AND CONFIRMING THE ASSESSMENT, AND ORDERING THE COLLECTION OF THE AMOUNT ASSESSED.

**Fiscal Impact:** The special assessment revenue bonds, if sold, are secured solely by the installment payments to be paid by owners of assessed property within the Assessment District. In the event of non-payment, the District may foreclose on assessed property and apply the foreclosure proceeds to repayment of the special assessment revenue bonds. Neither the City nor the District is required to purchase any assessed property subject to a foreclosure action. Pursuant to an agreement between the developer and homebuilders and prior Board action, assessments on individual lots will not exceed \$13,219.00.

## **Background and Previous Actions**

Upon request of the master developer in the District, the District and the owners of all land within the Assessment District executed and delivered a waiver and development agreement pertaining to formation of the Assessment District.

The Board previously conducted a public hearing on the feasibility report and adopted EMRCFD RES 2018-123 forming the Assessment District, ordering the acquisition and/or construction of public infrastructure and public infrastructure purposes, and declaring the District's intent to issue special assessment revenue bonds.

In addition, the Board previously adopted EMRCFD RES 2018-121 approving the assessment and form of assessment diagram based on estimated costs. The assessment amount may not be increased from the amounts already approved by the Board.

The District Engineer completed a review of the work related to the public infrastructure to be financed by the special assessment revenue bonds and determined (i) the work is complete for purposes of confirming and approving the assessment amount, (ii) the work benefits the residential lots subject to assessment and (iii) the value of the work exceeds the amount of the assessment. All owners of land in the Assessment District received notice of the public hearing regarding the confirmation and approval of the assessment. No landowner objections to the formation of the Assessment District, the work or the assessment have been submitted to the District.

This is the final and conclusive Board action relating to the proceedings forming the Assessment District and authorizing the issuance, sale and delivery of special assessment revenue bonds.

## **Staff Analysis**

District staff has reviewed the District Engineer's certificate regarding the work. Approval of this resolution is the final and conclusive action related to proceedings forming the Assessment District and levying the assessment, and authorizes District staff (or the County Treasurer pursuant to a collection agreement with the District) to collect installment payments on the assessments from property owners within the Assessment District in accordance with Arizona Revised Statutes Title 48.

## **Attachments**

EMRCFD RES 2019-126  
Certificate of District Engineer