

RESOLUTION NO. 23-07

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ORDERING THE INSTALLATION OF STREET LIGHTS WITHIN STREET LIGHTING IMPROVEMENT DISTRICT NO. 2023-SV-1A-1.

WHEREAS, on March 21, 2023 the mayor and city council of the City of Apache Junction, Arizona, passed and adopted Resolution No. 23-06 (the "Resolution of Intention"), which declared the council's intention to form the City of Apache Junction Street Lighting Improvement District (the "SLID") No. 2023-SV-1A-1 (the "District"), solely for the purpose of purchasing energy for lighting of the public streets within the District; and

WHEREAS, no protests against the proposed work, or objections to the extent of the District have been received, as such option was waived by the owners who signed the formation petition; and

WHEREAS, pursuant to Arizona Revised Statutes ("A.R.S.") §§ 48-616 and 617, the mayor and city council hereby finds and determines that it has jurisdiction to order the work for lighting of public streets and parks within the District and order the formation of the District described in the resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

1. Ordering the work and District formation. That as there were no protests against the work or the formation of the District or objections to the extent of the District, the work, as described in the resolution, is hereby ordered and the formation of the City of Apache Junction SLID No. 2023-SV-1A-1 is also ordered. The Map of the District Boundaries is set forth in Exhibit A attached hereto and incorporated by reference herein. The city clerk is ordered and directed to cause a certified copy of this resolution to be delivered to the Department of Revenue of the State of Arizona (the "Department") and to the Assessor and Recorder of Pinal County, Arizona, as is required by A.R.S. § 42-17257, together with all other information relating to the boundaries of newly created taxing jurisdictions.

2. Compliance with City Code. The District shall comply with the provision of the Apache Junction City Code, Vol. II, Land

Development Code, Article 1-10: Outdoor Lighting Regulations, as amended.

3. Annual Tax. The city shall annually, commencing in tax year 2023 and for the city's 2024 fiscal year, make annual statements and estimates of the expenses of the District and shall submit the same to the Board of Supervisors of Pinal County for the levy and collection of ad valorem taxes upon the assessed value of all taxable property, real and personal, in the District or by equal apportionment of taxes based on the number and classification of properties within the District, and shall publish notice of the statements and estimates, hold hearings on them and adopt them at the times and in the manner provided for incorporated cities and towns' statements and estimates by applicable portions of A.R.S. Title 42, Chapter 17, Article 3, and shall annually set, fix and cause to be levied and assessed the amount to be raised by ad valorem taxes upon all of the taxable property of the District and shall cause to be collected, as county taxes are collected, the amounts shown by the statements and estimates so adopted by the mayor and city council. As provided in A.R.S. § 48-616, all statutes providing for the levy and collection of general county taxes, including collection of delinquent taxes and sale of property for nonpayment of taxes, are applicable to the District taxes as provided to be levied by the section.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS ____ DAY OF _____, 20__.

SIGNED AND ATTESTED TO THIS ____ DAY OF _____, 20__.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney

EXHIBIT A