

RESOLUTION NO. 23-08

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ADOPTING THE FINAL BUDGET FOR THE STREET LIGHTING IMPROVEMENTS DISTRICT 2023-SV-1A-1, FOR FISCAL YEAR 2023 - 2024 BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024 AND LEVYING UPON THE PROPERTY IN THE DISTRICT OR BY AN EQUAL APPORTIONMENT OF THE TAXES NEEDED TO PAY THE EXPENSES SET FORTH IN THE BUDGET.

WHEREAS, in accordance with the provisions of Arizona Revised Statutes ("A.R.S.") § 48-616, the Street Lighting Improvement District 2023-SV-1A-1 (the "District"), the mayor and city council received the proposed District budget prior to March, 20, 2023; and

WHEREAS, notice of the hearing on the statements and estimates of expenses of the District (the "Budget") was duly published and the hearing conducted, all as required by law; and

WHEREAS, the mayor and city council intend to adopt the fiscal year 2023 - 2024 final budget for the District; and

WHEREAS, upon fixing, levying and assessing the amount to be raised by ad valorem taxes on all the real and personal property in the District or apportioned equally upon the number and classification of properties within the District, the city clerk is hereby directed to transmit a certified copy of this resolution to the assessor, recorder and board of supervisors of Pinal County, Arizona, with a request to collect such taxes in the same manner as general city taxes.

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

1. Budget Adopted. The District budget attached hereto in Exhibit A in the amount of \$3,768.00 is hereby adopted as the budget of the District for fiscal year 2023 - 2024.

2. Amount to be Raised by Taxes. The amount of the District budget set forth in Section 1 of this resolution is hereby fixed, levied and assessed as the amount to be raised by the levy of ad valorem taxes on all the real and personal property in the District or through an equal apportionment of taxes based on the number and classification of properties within the District. There is hereby levied on each one hundred dollars (\$100) of assessed value on all property, both real and personal within the District not exempt

from taxation, a tax rate sufficient (not greater than one dollar and twenty cents (\$1.20)) to provide a fund for the annual expenses of the SLID, said amount to be collected in the same manner as the collection of general city taxes.

3. No Invalidation of Proceedings. No irregularity in the fixing, levying or assessing the amount to be raised by ad valorem taxes or omission in the same, or irregularity of any kind in any proceedings shall invalidate such proceeding or invalidate any action to collect such taxes, including the conveyance of title by any tax deed, nor shall any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within time specified will be an invalidation of any proceedings or of any action to collect such taxes or affect the validity of the assessment of the budget amount 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 upon such property for the delinquent annual taxes unpaid thereon, and no overcharge as to part of the taxes or of costs shall invalidate any proceedings for collecting of the taxes or the foreclosure, and all acts of officers *de facto* shall be valid as if performed by officer *de jure*.

4. Notice of Levy. The city clerk and city finance director are each authorized and directed to provide the certified duplicate copies of this resolution and such other documents as may be necessary to cause Pinal County to levy, assess and collect the amounts described herein from ad valorem property taxes, including the budget, to the Pinal County Board of Supervisors, County Assessor and County Treasurer.

5. Conflicting Resolutions Repealed. All resolutions and parts of resolutions in conflict are hereby repealed.

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

City of Apache Junction
Street Light Improvement District 2023-SV-1A-1
Budget FY 2023 - 2024

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| Streetlight Improvement District ("SLID") | 2023-SV-1A-1 |
| Number of streetlights | 50 |
| Energy cost per month per streetlight | \$6.28 |
| Monthly energy cost for the SLID | \$314.00 |
| Annual energy cost for the SLID | \$3,768.00 |
| Number of residences in the SLID | 439 |
| Annual energy levy per residence in the SLID | \$8.58 |