



City of Apache Junction, Arizona

City Council Chambers
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Apache Junction, AZ 85119

apachejunctionaz.gov
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Special Meeting Minutes Superstition Vistas Community Facilities District No. 1

Tuesday, June 6, 2023

6:00 PM

City Council Chambers

A. Call to Order

Chair Wilson called the meeting to order at 6:00 p.m.

B. Roll Call

Staff in attendance:

Bryant Powell, District Manager
Matt Busby, Assistant District Manager
Jennifer Pena, District Clerk
Joel Stern, District Attorney
Leslie DeReche, District Treasurer
Eli Richardson, District Management Analyst
Rob Wisler, District Management Analyst

C. Agenda Items

1. Approval of minutes of regular meeting held on May 16, 2023.

Chair Wilson called for a motion. Vice Chair Schroeder moved, seconded by Boardmember Nesser.

D. Public Hearing

2. Presentation, discussion, and consideration of Resolution No. 2023-003 SVCFD No. 1, approving the proposed District budget for Fiscal Year 2023/24 and ordering a hearing on and calling for public testimony on the District budget.

Chair Wilson called for a motion. Boardmember Cross moved, seconded by Boardmember Soller.

Chair Wilson called on District Treasurer, Leslie DeReche who introduced Zach Sakas, Esq. Of Greenberg Traurig, LLP, outside counsel for the Superstition Vistas Community Facility Districts.

Mr. Sakas presented to the Board the tentative budget, indicating if approved the next step is to conduct a public hearing on the tentative budget and assuming no changes or alterations to the tentative budget that would become the final budget if item #4 is passed. In the event that there are changes or other considerations to the tentative budget, item #4 could be tabled to a future meeting. the tentative budget needs to be approved by July 15th and item #4 could need to be approved prior to the City finalizing it's tax levy which would be middle of July.

3. Presentation, discussion, and public hearing of the proposed District budget for FY 2023/24.

Chair Wilson opened the public hearing at 6:04 p.m. No members of the public wished to speak. Chair Wilson closed the public hearing at 6:05 p.m.

4. Presentation, discussion, and consideration of Resolution No. 2023-004 SVCFD No.1, adopting the District budget for Fiscal Year 2023/24 and ordering a tax levy.

Chair Wilson asked for a motion. Boardmember Soller moved, seconded by Boardmember Nesser.

5. Presentation, discussion, and public hearing of the final assessment for the Superstition Vistas Community Facilities District No.1, Assessment District No.1.

Chair Wilson indicated that the District Engineer has reported to this Board that all work relating to the project has been completed in accordance with the approved plans and specifications.

Chair Wilson opened the public hearing at 6:07 p.m. No members of the public wished to speak and Chair Wilson closed the public hearing at 6:07 p.m.

6. Presentation, discussion, and consideration of Resolution No. 2023-005 SVCFD No. 1, a resolution of the district board of Superstition Vistas Community Facilities District No. 1 approving the final assessment for Assessment District No. 1, determining that the work has been completed in accordance with the approved plans and specifications, and ordering the collection of the assessment in Assessment District No. 1.

Chair Wilson called for a motion. Boardmemeber Nesser moved, seconded by Boardmemeber Cross.

Zach Sakas presented to the Board that at the May 16th, 2023, board meeting a feasibility report or the project was looked at for how the individual 400 lots would each be assessed, and the eventual homeowners would repay assessments over time to repay the bonds. We also granted authority for the district staff to go forth and establish the assessment against each of the lots. In the interim time from May 16, 2023, to today, the assessment has been recorded against each of the 400 lots that will be assessed and as we just conducted the final assessment hearing, any current landowner with an interest in one of the lots could have stepped forward and contested any portion of formation of the assessment district and establishment of the assessment.

DR Horton is the sole owner of all 400 lots as of today and they did not object to anything. Item #5 is concluding that nobody showed up to the hearing, the assessments are established as final, and approving that. Should you so decide to consider and approve that.

Item #6 then we transition to authorizing the district to sell special assessment bonds. Under the CFD Statutes the two types of bonds that this particular community facilities district is able to sell that we've agreed to with the developer is a general obligation bond which is repaid with property taxes or what we're doing tonight a special assessment bond which again is an individual assessment against a particular lot. And so, the homeowner can pay in portions over time, or the homeowner can choose to prepay on set dates throughout any year. So maybe somebody pays for a couple years and decides to pay off the balance that will be at the choice of the homeowner. The bonds are limited by the total assessment amount, which is \$5,000 per lot times the number of assessed lots, which is 400 lots. We have a not to exceed amount of \$2,000,000.00 in bonds that we are going to sell. Again, we are paying for a street that will serve the assessed lots. One of the things we look at in this type of financing is ensuring that the project that we are constructing and financing has a particular benefit that you can trace to the lot that is assessed. That way you're

not having somebody possibly paying for public infrastructure that they're never going to use. That's why there is a specific benefit tied to a specific assessment amount on each individual lot.

Discussion was held amongst board members.

7. Presentation, discussion and consideration of Resolution No. 2023-006 SVCFD No.1, a resolution of the district board of Superstition Vistas Community Facilities District No.1, authorizing the issuance of the District's Assessment District No.1 Special Assessment Bonds, Series 2023; approving the form and authorizing the execution and delivery of related documents; awarding the bonds to a purchaser; appointing a registrar, transfer agent and paying agent for the bonds; authorizing the taking of other actions securing the payment of and relating to the bonds; and adopting written policies and procedures for tax-advantaged obligations and procedures for compliance with continuing disclosure undertakings.

Chair Wilson asked for a motion. Boardmember Heck moved, seconded by Boardmember Nesser.

Zach Sakas presented to the board that most of the discussion on item #6 pertains to this item as well. This resolution authorizes the bond issuance and provides the necessary authority to District staff to complete the sale and close the transaction.

E. District Manager Report

F. District Director Report

G. District Treasurer Report

H. Adjournment

Chair Wilson adjourned the meeting at 6:23 p.m.

ACCEPTED THIS _____ DAY OF _____,
2023, BY THE CHAIR PERSON AND DISTRICT BOARD OF THE SUPERSTITION VISTAS
COMMUNITY FACILITIES DISTRICT NO. 1 , (CITY OF APACHE JUNCTION, ARIZONA).

SIGNED AND ATTESTED TO THIS _____ DAY OF _____
, 2023.

WALTER "CHIP" WILSON
Chairperson

ATTEST:

JENNIFER PENA
District Clerk

SUPERSTITION VISTAS COMMUNITY FACILITIES DISTRICT NO. 1 MINUTES CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of Superstition Vistas Community Facilities District No. 1 of the City of Apache Junction, Arizona, held on the 6th day of June, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2023.

JENNIFER PENA
District Clerk