



Resolution of Intent and Resolution Ordering Formation of the Verdin Community Facilities District (Resolution 22114)

Resolution declaring the intent to form, and ordering formation of the Verdin Community Facilities District of the City of Phoenix (CFD or District) pursuant to Arizona Revised Statutes (A.R.S.) title 48, chapter 4, article 6 (sections 48-701 to 48-724).

Summary

Pursuant to A.R.S. title 48, chapter 4, article 6, the City is authorized to form a CFD within its corporate boundaries. A.R.S. 48-702 provides that after filing a general plan for the CFD with the clerk of the municipality outlining a general description of public infrastructure improvements for which the district is proposed to be formed and the general areas to be improved, the City Council may adopt a resolution declaring its intention to form the district on a presentation of a petition signed by the owners of at least 25 percent of the land-area proposed to be included in the district. A.R.S. 48-707 (F) provides that, upon receipt of a petition signed by owners of all of the land in the proposed district and approval to form by the municipality, the municipality may declare the district formed and waive compliance with the provisions of the Act for posting, publication, mailing, notice, hearing or election.

On Feb. 8, 2023, Taylor Morrison (Applicant) and MacEwen Ranch, LLC (Owner) submitted an application requesting formation of the Verdin CFD, along with a petition that Applicant certifies has been signed by 100 percent of the property owners within the proposed district boundaries, and a proposed general plan for the CFD. The complete application is on file with the Planning and Development Department; the petition and proposed boundaries of the CFD are attached as **Attachment A**. The City's Chief Financial Officer has deemed the application complete, and staff has analyzed the application. Staff has determined that the proposed CFD, under the terms and conditions of the proposed development and inter-governmental agreement recommended for Council approval, is financially viable and complies with the City's policy for formation of community facilities districts. Staff recommends proceeding with the formation of the CFD. If formed, the CFD may not meet or take any action unless and until sufficient insurance, including Director's and Officer's Insurance, is obtained by the CFD and approved by the City's Chief Financial Officer.

Financial Impact

There is no anticipated financial impact to the City. The CFD Development Agreement will contain provisions to fund all operations and maintenance expenses of the District, including the levy of ad valorem taxes and specific developer contributions to cover revenue shortfalls.

Concurrence/Previous Council Action

City Council approved General Plan Amendment (GPA-DSTV-1-18-2) and Rezoning (Z-62-18-2) on May 5, 2022. Taylor Morrison/MacEwan Ranch will enter into separate development agreements related to Sonoran Desert Drive street improvements, along with water or sewer infrastructure obligations in order to develop the parcel. Staff will work with the developer on the specifics and bring those items forward for City Council approval at a future City Council meeting.

Public Outreach

A.R.S. 48-707(F) provides that, upon receipt of a petition signed by owners of all of the land in the district described and approved by the municipality, the municipality may declare the district formed and waive compliance with the provisions of the Act for posting, publication, mailing, notice, hearing or election. On April 5, 2023, the Applicants submitted a petition signed by owners of all the land in the district described on **Attachment A**, the petition to form a community facilities district.

Location

The Verdin Community Facilities District is generally the 473 acres of land on the south side of Sonoran Desert Drive between the 16th and 24th street alignments.
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Finance, Planning and Development, Street Transportation, Water Services, and Parks and Recreation departments.