

RESOLUTION NO. 191-84

BOARD OF SUPERVISORS, NAVAJO COUNTY, ARIZONA

**A RESOLUTION GRANTING PERMISSION TO PROCEED TO
ESTABLISH A DOMESTIC WATER IMPROVEMENT DISTRICT**

WHEREAS, Chapter 338, Session Laws 36th Legislature, Second Regular Session, was signed by the Governor of the State of Arizona and filed in the Office of the Secretary of State on May 2, 1984 said act to be effective on August 3, 1984; and

WHEREAS, said Act, hereto attached as "Exhibit A" and incorporated herein by reference, prohibits the formation or initiation or circulation of petitions to form domestic water improvement districts authorized by Title 11, Chapter 5, Articles 1 and 1.3, Arizona Revised Statutes until December 31, 1986, except as provided in Section 2 of subsection C; and

WHEREAS, Section 2 of subsection C of said Act provides for permission to begin proceedings to create a domestic water improvement district before December 31, 1986; and

WHEREAS, permission shall be applied for in writing to begin proceedings to create a domestic water improvement district before December 31, 1986; and

WHEREAS, the board of supervisors may authorize by resolution proceedings to establish a domestic water improvement district; and

WHEREAS, a concerted effort will be made to establish the most cost-effective facility for the provision of domestic water; and

WHEREAS, the formation of the Misty Mountain Domestic Water Improvement District shall facilitate compliance with the Arizona Department of Health Services water quality requirements and shall facilitate fire protection; and

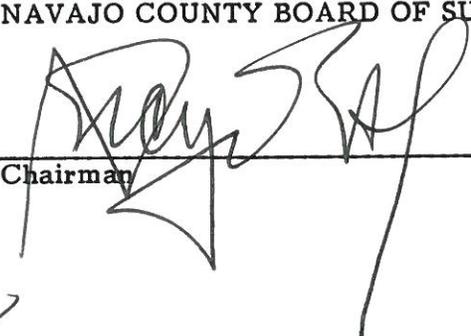
WHEREAS, the public health, comfort, convenience, necessity and welfare will be promoted by establishment of the district and the property included therein will be benefitted.

NOW THEREFORE IT IS RESOLVED AS FOLLOWS THAT:

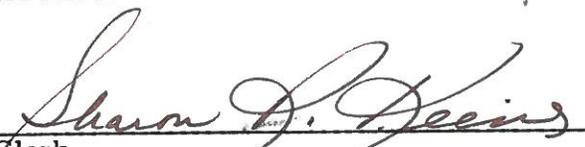
1. The application for permission to proceed with the formation of the Misty Mountain Domestic Water Improvement District is hereby accepted by the Board of Supervisors.
2. Permission is hereby granted to begin and continue proceedings to create the Misty Mountain Domestic Water Improvement District authorized by title 11, chapter 5, Articles 1 and 1.3, Arizona Revised Statutes before December 31, 1986.
3. The Board of Supervisors, by a separate resolution, will approve establishment of the District if the formation proceedings, held pursuant to Title 11, Chapter 5, Articles 1 and 1.3, Arizona Revised Statutes, are successful.

ADOPTED this 4th day of December, 1984.

NAVAJO COUNTY BOARD OF SUPERVISORS


Chairman

ATTEST:


Clerk

DD/RGrantPer

ISSUED BY
ROSE MOFFORD
SECRETARY OF STATE

State of Arizona
Senate
Thirty-sixth Legislature
Second Regular Session
1984

CHAPTER 338

SENATE BILL 1124

AN ACT

RELATING TO STATE GOVERNMENT; PROVIDING FOR A MORATORIUM ON THE FORMATION OF CERTAIN NEW SPECIAL DISTRICTS; PROVIDING FOR EXCEPTIONS; PRESCRIBING THE SUBMISSION OF CERTAIN LISTINGS BY EACH COUNTY, AND PROVIDING FOR A JOINT LEGISLATIVE COMMITTEE ON SPECIAL DISTRICTS.

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Purpose

3 The purpose of this act is to provide this state with information
4 regarding the existence and activities of special districts throughout
5 Arizona and to permit the legislature to study and evaluate the status of
6 special district government in this state.

7 Sec. 2. Moratorium on new special districts;
8 exception

9 A. Until December 31, 1986, no new special district listed in
10 subsection B of this section may be formed, nor may any person initiate a
11 measure or circulate a petition to form such a special district, except as
12 provided in subsection C of this section.

13 B. The special districts to which this section applies are:

14 1. Antinoxious weed districts authorized by title 3, chapter 2,
15 article 4, Arizona Revised Statutes.

16 2. Pest control districts authorized by title 3, chapter 2, article
17 4.1, Arizona Revised Statutes.

18 3. Fire districts authorized by title 9, chapter 9, article 1,
19 Arizona Revised Statutes.

20 4. Domestic water improvement districts with an elected board of
21 directors authorized by title 11, chapter 5, article 1.3, Arizona Revised
22 Statutes.

23 5. County television improvement districts authorized by title 11,
24 chapter 5, article 2, Arizona Revised Statutes.

25 6. Community park maintenance districts authorized by title 11,
26 chapter 5, article 3, Arizona Revised Statutes.

27 7. Recreation center districts authorized by title 11, chapter 5,
28 article 4, Arizona Revised Statutes.

29 8. Special road districts authorized by title 18, chapter 2,
30 article 3, Arizona Revised Statutes.

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- 9. Power districts authorized by title 30, chapter 2, Arizona Revised Statutes.
- 10. Electrical districts authorized by title 30, chapter 3, Arizona Revised Statutes.
- 11. Hospital districts authorized by title 36, chapter 10, article 2, Arizona Revised Statutes.
- 12. Sanitary districts authorized by title 36, chapter 11, Arizona Revised Statutes.
- 13. Pest abatement districts authorized by title 36, chapter 11.1, Arizona Revised Statutes.
- 14. Health service districts authorized by title 36, chapter 24, article 2, Arizona Revised Statutes.
- 15. Drainage districts authorized by title 45, chapter 5, Arizona Revised Statutes.
- 16. Irrigation and water conservation districts authorized by title 45, chapter 6, Arizona Revised Statutes.
- 17. Irrigation water delivery districts authorized by title 45, chapter 7, Arizona Revised Statutes.
- 18. Flood control districts authorized by title 45, chapter 10, article 1.1, Arizona Revised Statutes.
- 19. Water oriented development districts under title 45, chapter 16, Arizona Revised Statutes.

C. Any person may apply in writing to the board of supervisors requesting permission to begin proceedings to create a special district before the expiration of the moratorium. The board of supervisors may authorize by resolution proceedings to establish the special district. The resolution shall contain a detailed statement describing the conditions which justify the proceedings to establish the special district. If the proceedings to establish the district are successful, the board of supervisors may, by a separate resolution, approve the formation of the district.

D. This act does not prohibit the expansion, modification or change in the boundaries of special districts existing on or before the effective date of this act.

Sec. 3. Special districts; county reports

A. The board of supervisors of each county shall by December 31, 1984, submit to the auditor general a detailed listing of all special districts within the county prior to the beginning of the moratorium established pursuant to section 1 of this act. The listing shall include all special districts within the county and shall not be limited to those special districts included under section 1 of this act. The detailed listing shall include but shall not be limited to the total revenues and expenditures and tax rate for the most recent fiscal year of the district, and the total amount and kind of all indebtedness of the district. For districts publishing an annual report containing this information the board of supervisors may submit the annual report of the district for the most recent fiscal year to satisfy the requirements of this subsection with respect to that district.

1 B. The board of supervisors of each county shall by December 31,
2 1986 submit to the auditor general a detailed listing of all special
3 districts within the county which were formed following the beginning of
4 the moratorium established pursuant to section 1 of this act. The detailed
5 listing shall include but not be limited to the total revenues and
6 expenditures and tax rate for the most recent fiscal year of the district,
7 and the total amount and kind of all indebtedness of the district. For
8 districts publishing an annual report containing this information the
9 board of supervisors may submit the annual report of the district for the
10 most recent fiscal year to satisfy the requirements of this subsection with
11 respect to that district.

12 C. The information specified in this section shall be filed for
13 each special district prior to the time the board of supervisors levies any
14 tax or special assessment for the special district other than a tax or
15 special assessment for the purpose of paying any claims against the
16 indebtedness of the special district. No provision of this section shall
17 be construed as limiting or prohibiting the ability of any special district
18 to levy a tax or special assessment to pay any claims against the
19 indebtedness of the special district.

20 Sec. 4. Joint committee; implementation

21 A. There is established a joint legislative committee on special
22 districts. The committee shall consist of three members of the house of
23 representatives appointed by the speaker, one of whom shall be designated
24 to also serve as co-chairman, and three members of the senate appointed by
25 the president, one of whom shall be designated to also serve as
26 co-chairman.

27 B. The purpose of the committee shall be to oversee the
28 implementation of the provisions of this act and to make such
29 recommendations as are appropriate.

30 C. The committee shall complete its work on or before December 31,
31 1985 and shall submit a report to the speaker and president on its
32 activities, including findings and recommendations.

Approved by the Governor - May 2, 1984

Filed in the Office of the Secretary of State - May 2, 1984