

RESOLUTION NO. 19-07

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COOLIDGE, PINAL COUNTY, ARIZONA, ORDERING AND CALLING A SPECIAL BOND ELECTION TO BE HELD IN AND FOR THE CITY ON NOVEMBER 5, 2019, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF THE QUESTION OF AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$5,000,000 PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS OF THE CITY; DESIGNATING OR PROVIDING FOR THE MANNER IN WHICH THE CITY CLERK SHALL CONDUCT THE ELECTION, SPANISH TRANSLATION OF ELECTION MATERIALS, VOTER REGISTRATION DEADLINES AND EARLY VOTING DATES, AND RELATED MATTERS.

WHEREAS, the City Council of the City of Coolidge, Pinal County, Arizona (the "City"), believes it to be in the best interest of the City to authorize the issuance and sale of up to \$5,000,000 principal amount of general obligation bonds, specifically for the purposes of parks, open space and recreational facilities and improvements, and related infrastructure, including, without limitation, streets improvements, relating to a City aquatic facility, and authorizing a secondary property tax as security and a source of repayment of the general obligation bonds; and

WHEREAS, it is necessary that the City Council submit the question of the authorization, issuance and sale of such general obligation bonds to the qualified electors of the City; and

WHEREAS, the City Council may consolidate the special election with any other election conducted in the City on November 5, 2019; and

WHEREAS, based on the direction of Pinal County Elections at the time of consideration of this resolution, the City anticipates conducting the special election as a mail ballot election;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COOLIDGE, PINAL COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Order for Election; Ballot. Pursuant to Arizona Revised Statutes, as amended ("A.R.S."), § 35-453, a special bond election in the City is hereby ordered and called to be held on November 5, 2019, to submit to the qualified electors of the City the question as shown on form of ballot attached hereto and marked as Exhibit A which is a part of this resolution and the terms of which are incorporated by reference herein. If approved, the bonds may be issued as general obligation bonds pursuant to A.R.S. Title 35, Chapter 3, Article 3, as amended, payable from an *ad valorem* property tax levied on all taxable property within the corporate limits of the City.

Section 2. Call for Election. Pursuant to A.R.S. § 35-455(B), the aggregate amount of bonds set forth above shall bear a maximum rate of interest of nine percent (9.0%) per annum, may run for a minimum number of years from their issue date of one (1) year or fraction thereof and a maximum of twenty-five (25) years. The current outstanding general obligation debt of the City for the purposes included in the twenty percent (20%) constitutional debt limit category is \$0.00 and for the purposes included in the six percent (6%) constitutional debt limit category is

\$0.00. As of the date of this resolution, the twenty percent (20%) and six percent (6%) constitutional debt limits of the City are \$9,140,610 and \$2,742,183, respectively. The general obligation bonds may be refunded by the issuance of general obligation refunding bonds with a weighted average maturity of less than seventy-five percent (75%) of the weighted average maturity of the bonds being refunded.

Section 3. Publication of the Call and Notice of the Election. For either a mailed ballot election or a polling place election, the mailing or publication of the call and notice of the special election shall be given, or caused to be given, by the City Clerk, as provided by law, and as may be deemed necessary and appropriate in the City Clerk's discretion to advise the public of the election.

Pursuant to A.R.S. § 16-228, at a minimum, a Notice of Mail Ballot Election shall be published not less than once a week during each of the two (2) calendar weeks immediately preceding thirty (30) days before the election, and shall include:

1. The date of the election.
2. The date ballots will be mailed.
3. The deadline and location for return of the ballots.
4. The method for obtaining a replacement if a ballot is destroyed, lost, spoiled or not received.
5. A statement that no polling place will be provided.
6. The name of the district that is conducting the election.
7. The qualifications of electors.

Section 4. Informational Pamphlet. The City Clerk is hereby directed to cause the preparation and distribution of an informational pamphlet and sample ballot for the City pursuant to, and meeting the requirements of, A.R.S. § 35-454 and, if the City Clerk determines it to be in the City's best interests, combine such informational pamphlet and sample ballot with any other publicity pamphlet being prepared for the November 5, 2019 special election. The officers of the City are hereby authorized to prepare and deliver, or cause to be prepared and delivered, to the City Clerk the information necessary or appropriate for completing the informational pamphlet, including, without limitation: the estimated debt retirement schedule for any current amount of bonds outstanding; estimated debt retirement schedule for the proposed bond authorization; source of repayment; estimated annual levy of property taxes sufficient to pay debt service on the bonds; estimated issuance cost; estimated tax impact on an average owner-occupied, single-family residence, commercial property, and agricultural or other vacant property; estimated total cost of the proposed bond authorization, including principal and interest; current outstanding general obligation debt and constitutional debt limitation; an introductory statement on behalf of the City; and a statement of the purpose for which the bonds are to be issued.

For either a mailed ballot election or a polling place election, the informational pamphlet is to be mailed to the residence of each qualified elector of the City as shown on the general county register within the time period set forth in the applicable sections of the Arizona Revised Statutes. The City Clerk is hereby authorized and directed to submit a copy of the informational pamphlet to the Arizona Department of Revenue within thirty (30) days after the election.

Section 5. Submitting Arguments. Pursuant to A.R.S. § 35-454, as amended, the City hereby sets the date of Wednesday, August 7, 2019 at the hour of 5:00 p.m. as the deadline to submit arguments “for” or “against” authorization to issue the bonds. The City Clerk is authorized to publish in a newspaper of general circulation within the City a notice stating the deadline for filing with the City of arguments “for” or “against” the bonds, for inclusion in the informational pamphlet pertaining to the bonds. A form of the notice requesting arguments “for” and “against”, including the deadline for submitting arguments, is attached hereto as Exhibit B. The City Clerk is authorized to revise the form of notice hereto as necessary to comply with all applicable laws, provided, however, that the notice for arguments shall include the estimated average tax rate pursuant to A.R.S. § 35-454.

Each argument shall not exceed 300 words in length and shall contain the sworn statement of each person sponsoring it. If the argument is sponsored by an organization, the sworn statements of two executive officers are required. If the argument is sponsored by a political committee, the sworn statement of the committee’s chair or treasurer is required. Persons signing shall also identify themselves by giving their residence or post office address and a telephone number, which shall not appear in the informational pamphlet. With each argument supporting or opposing the question, one hundred dollars (\$100.00) shall be deposited with the City Clerk for a proportionate cost of the purchase of the paper and the printing of the argument.

Section 6. Conduct of Election; Contracts; Expenditures. The City Clerk is hereby authorized to determine the manner in which the special election shall be conducted, and the Mayor and the City Clerk or either of them is each hereby authorized and directed to enter into a contract with the Pinal County Recorder to obtain precinct registers for the election and to enter into an agreement with the Pinal County Elections Department to conduct the special election for the City. The election will be conducted in the manner provided by law, and the poll lists kept, and the votes cast thereat shall be counted and tabulated and the returns thereof will be made in the manner provided by law and only persons who are qualified electors of the City will be allowed to vote at the City special election.

The special election may be consolidated with any other election conducted in the City on November 5, 2019.

The special election will be conducted by mail and no polling places will be provided. The City Clerk is hereby authorized and directed to cause ballots to be printed and timely mailed to the qualified electors eligible to vote in this special election. The City, through adoption of this resolution, agrees to pay the return postage for voted ballots.

In the event that the special election is not conducted as a mail ballot election, the election will be conducted in the manner provided by law and in such other resolutions as may be adopted by the City Council which shall provide for, among other things, the hours of the polling places, deadlines for registration, and early voting procedures in accordance with A.R.S. Title 16, Chapter 4, Article 8.

The City Council hereby authorizes all expenditures as may be necessary to order, notice, hold and administer the election, including, without limitation, the cost of the return postage

to return the voted mail ballots if the election is conducted as a mailed ballot election, which expenditures shall be paid from current operating funds of the City.

Section 7. Deadline for Voter Registration. A voter in this special election must be a qualified elector of the City. A qualified elector of the City is defined as a person who is registered to vote and whose name appears on the Pinal County voter register rolls within the boundaries of the City twenty-nine (29) days prior to the date of election.

Pinal County registration and voting lists will be used for the special election. To be qualified to vote in the special election, a City resident must be registered to vote by Monday, October 7, 2019.

Section 8. Voting Rights Act and Spanish Translation. To comply with the Voting Rights Act of 1965, as amended, the following proceedings pertaining to this election will be translated into Spanish and posted, published, distributed and/or recorded in each instance where posting, publication, distribution and/or recording of such proceedings are required, such as this call of election, the notice of election, ballots, informational pamphlet, all voting materials, and all instructions relating thereto.

Section 9. Voting System. Ballots shall be counted by the voting system in use by Pinal County Elections Department for the recordation of the electors' choices as authorized by Arizona law.

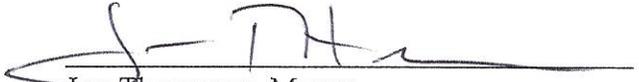
Section 10. Canvass of Election. The election officials will forward the votes cast to the City Council for canvassing. The City Council will meet at the Council Chambers on a day that is within twenty (20) days after the election date to canvass the returns of the election and certify the results, as provided by Arizona law. The City Clerk shall record a certificate of result of election in the office of the Pinal County Recorder: (i) disclosing the purpose of the election, (ii) the total number of votes cast and the total number of votes for and against creating the indebtedness, and (iii) stating whether or not the indebtedness is ordered. The City Council will be governed by the vote of the majority on the question submitted.

Section 11. Report to President of the Senate and Speaker of the House. If a mail ballot election is held, the City Clerk shall, by January 1, 2020, prepare a written report to the President of the Senate and the Speaker of the House of Representatives of the Arizona Legislature providing information regarding: (i) changes in voter turnout; (ii) relative costs of mail ballot elections compared to traditional elections; (iii) suggestions for improvements or refinements in the mail ballot program; (iv) frequency and severity of mail ballot irregularities, if any; (v) voter satisfaction with the election process; and (vi) number of nondeliverable ballots, all as required by A.R.S. § 16-409(B).

Section 12. Ratification. All actions of the City Council, officers, employees and agents of the City which are in conformity with the purposes and intent of this resolution, whether heretofore or hereafter taken, shall be and are hereby ratified, confirmed, authorized and approved.

PASSED AND ADOPTED by the City Council of the City of Coolidge, Pinal County, Arizona, on May 28, 2019.

APPROVED:



Jon Thompson, Mayor

ATTEST:



Norma Ortiz, City Clerk

APPROVED AS TO FORM:



Sherman & Howard L.L.C., Bond Counsel

Exhibit A: Official Question

Exhibit B: Instructions for Submitting Arguments “For” or “Against” the Bond

CERTIFICATION

I, Norma Ortiz, the duly appointed City Clerk of the City of Coolidge, Arizona, do hereby certify that the above and foregoing Resolution No. 19-07 was duly passed by the City Council of the City of Coolidge, Arizona, at a regular meeting held on May 28, 2019, and that a quorum was present thereat and that the vote thereon was 7 ayes and 0 nays; 0 did not vote or were absent.

Dated: May 28, 2019.



Norma Ortiz, City Clerk

EXHIBIT A

OFFICIAL BALLOT

FOR SPECIAL BOND ELECTION IN AND FOR THE CITY OF COÓLIDGE, ARIZONA,
ON NOVEMBER 5, 2019.

General Provisions for Bond Question

The following are general provisions that apply to the bond question. Specific information for the authorized purpose is set out in the bond question.

- In addition to the authorized purposes, bond proceeds may be used to pay for bond insurance or other credit support for the bonds, all legal, accounting, financial, consulting, architectural, design, engineering and construction management costs, if applicable, and all other costs incurred in connection with the issuance of the bonds and the purpose set forth in the question. The City may contract for letters of credit, surety bonds, lines of credit or other credit or liquidity support in connection with any one or more series of bonds.
- The bonds may be issued in one or more series, as tax-exempt or taxable bonds.
- The bonds may be issued in the denomination of \$5,000 each or multiples thereof.
- Interest rates may be fixed or variable but shall not exceed nine percent (9.0%) per annum.
- Interest may be evidenced by separate certificates and will be paid on July 1 and January 1 or more frequently.
- The bonds, and any bonds issued to refund the City's bonds, may be sold at prices that include premiums not greater than permitted by law. The bonds may be refunded by the issuance of refunding bonds with a weighted average maturity less than 75% of the weighted average maturity of the bonds being refunded.
- Each series of bonds will mature over a period not to exceed twenty-five (25) years from their date of issuance.
- Bonds will mature on July 1 or the days of each year determined by City Council.

QUESTION NO.

PURPOSE: PARKS, OPEN SPACE AND RECREATIONAL FACILITIES AND RELATED INFRASTRUCTURE BONDS

AMOUNT: \$5,000,000

Shall the City of Coolidge, Arizona, be authorized to issue and sell general obligation bonds of the City in the principal amount of up to \$5,000,000 to provide funds to design, construct, improve, furnish and equip parks, open space and recreational facilities and improvements relating to a new City aquatic facility, including associated infrastructure and amenities such as, without limitation, streets improvements, and including acquisition of land or interests therein necessary for such purposes, and pay all necessary legal, financial, consulting and other costs and fees in connection therewith; such bonds to be issued in one or more series as tax-exempt or taxable bonds; the bonds, and any bonds issued to refund the City's bonds, may be sold at prices that include premiums not greater than permitted by law; may bear fixed or variable interest not exceeding nine percent (9.0%) per annum, and may have principal payable not later than 25 years from the date of issuance of each series?

These bonds will be issued as general obligation bonds and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on bonds, unless the governing body provides for payment from other sources. The bonds may be refunded by the issuance of refunding bonds of a weighted average maturity of less than 75% of the weighted average maturity of the bonds being refunded.

| | |
|--------------------|--------------------------|
| BOND APPROVAL, YES | <input type="checkbox"/> |
| BOND APPROVAL, NO | <input type="checkbox"/> |

A "yes" vote shall authorize the City of Coolidge governing body to issue and sell up to \$5,000,000 of general obligation bonds of the City of Coolidge to be repaid with secondary property taxes.

A "no" vote shall not authorize the City of Coolidge governing body to issue and sell such bonds of the City of Coolidge.

EXHIBIT B

REQUEST FOR ARGUMENTS "FOR" OR "AGAINST" THE CITY OF COOLIDGE, ARIZONA BOND PROPOSITION

The City of Coolidge, Arizona (the "City"), will hold a special bond election on Tuesday, November 5, 2019, to seek approval of bonds for parks, open space and recreational facilities and improvements and related infrastructure, including, without limitation, streets improvements, relating to a City aquatic facility, in the principal amount up to \$5,000,000. The estimated average annual tax rate for the proposed bond authorization is \$0.____ per \$100 of net assessed valuation used for secondary property tax purposes.

Ballot language for the bond question is available in the City Clerk's office and on the Internet: www.coolidgeaz.com/election.

The bond question will be presented to the qualified voters of the City in an informational pamphlet. The informational pamphlet will be mailed to households of all registered voters within the City on or before October 1, 2019.

A Spanish version of the informational pamphlet will be available on the Internet (www.coolidgeaz.com/election) and, beginning October 1, 2019, at the Office of the City Clerk, 130 West Central Avenue, (520) 723-5361.

To have a Spanish or large print version of the informational pamphlet mailed to you, call (520) 723-5361, or write to the Coolidge City Clerk's Office at the address herein.

Any persons wishing to submit an argument "for" or "against" the bond question may do so by mail or hand delivery of the statement to the Office of the City Clerk, City of Coolidge, 130 West Central Avenue, Coolidge, Arizona 85128; telephone: (520) 723-5361. Each argument shall also be submitted to the City Clerk in an electronic format, preferably Microsoft WORD. Electronic statements shall be emailed to the City Clerk at normao@coolidgeaz.com.

Bonds issued pursuant to this special election will result in a property tax increase sufficient to pay annual debt service on the bonds issued.

Arguments "for" or "against" the bond question may be submitted for publication in the informational pamphlet. Each argument shall not exceed 300 words in length and shall contain the sworn statement of each person sponsoring it. If the argument is sponsored by an organization, it shall contain the sworn statement of two executive officers of the organization or if sponsored by a political committee it shall contain the sworn statement of the committee's chair or treasurer. The person or persons signing the argument shall also identify themselves by giving their residence or post office address and a telephone number, which information shall not appear in the informational pamphlet. With each argument supporting or opposing the question, one hundred dollars (\$100.00) shall be deposited with the City Clerk for a proportionate cost of the purchase of the paper and the printing of the argument.

The signed argument, sworn statement and deposit must be received in the Office of the City Clerk by 5:00 p.m., Wednesday, August 7, 2019, at the following location:

Office of the City Clerk
City of Coolidge
130 West Central Avenue, Coolidge, Arizona 85128
Telephone: (520) 723-5361

The last day to register to vote at this election is Monday, October 7, 2019. For more information concerning the election, please contact the City Clerk at (520) 723-5361.

Published in the _____ on _____, 2019.