

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ORDERING AND CALLING A SPECIAL BOND ELECTION TO RUN CONCURRENTLY WITH THE NOVEMBER 6, 2018, GENERAL ELECTION, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF THE QUESTION OF AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OF THE CITY; DESIGNATING OR PROVIDING FOR: THE MANNER IN WHICH THE ELECTION IS CONDUCTED, THE TRANSLATION OF ELECTION MATERIALS, VOTER REGISTRATION DEADLINES AND EARLY VOTING DATES.

WHEREAS, the City Council of the City of Mesa, Maricopa County, Arizona (the "*City Council*"), believes it to be in the best interests of the City of Mesa, Maricopa County, Arizona (the "*City*") to authorize the issuance and sale of \$111,000,000 aggregate original principal amount of general obligation bonds, which bonds would include general obligation bonds specifically for the purposes of libraries, museums, arts and cultural facilities and improvements, parks, open space and recreational facilities and improvements; and

WHEREAS, it is necessary for the City Council to submit the question of the authorization, issuance and sale of such 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 6, 2018;

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

Section 1. Order Election; Ballot. Pursuant to Arizona Revised Statutes ("A.R.S.") § 35-453, as amended, a special bond election in the City is hereby ordered and called to be held on November 6, 2018 ("*Election Day*"), to submit to the qualified electors of the City the questions as shown on the 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 Title 35, Chapter 3, Article 3, as amended, payable from an ad valorem 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%), may run for a minimum number of years from their date of one (1) year or fraction thereof and a maximum of twenty-five (25) years. As of the date of this resolution, the current outstanding general obligation debt of the City for the purposes included in the twenty percent (20%) debt limit category will be \$365,107,171 and for the purposes included in the six percent (6%) debt limit category will be \$647,830. As of the date of this resolution, the twenty percent (20%) and six percent (6%) constitutional debt limits of the City are \$797,660,798 and \$239,298,239, respectively. 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.

Section 3. **Publication of the Call and Notice of the Election.** The 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.

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 6, 2018 general or 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 the 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 costs; estimated tax impact on an average owner-occupied, single-family residence, commercial, industrial 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.

The informational pamphlet is to be mailed not less than thirty-five (35) days before the date of the special election to the residence of each registered voter of the City as shown on the general county register. The City Clerk is hereby 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 8, 2018 at the hour of 6:00 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 arguments "for" or "against" the bonds, for inclusion in the informational pamphlet pertaining to the bonds. The notice for arguments shall include the estimated average tax rate pursuant to A.R.S. § 35-454. The City Clerk is authorized to prepare the notice as necessary to comply with all applicable laws.

Section 6. **Conduct of Election.** The election will be conducted and the poll lists kept, and the votes cast thereat will 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 vote at the City special election. The special election may be consolidated with any other election conducted in the City on November 6, 2018.

The City Clerk is hereby authorized and directed to cause ballots to be printed and delivered to the election boards to be furnished to the qualified electors offering to vote at the election. The special bond election may be conducted using either electromechanical or electronic vote recording and ballot counting equipment or paper ballots, as shall be determined to be in the best interests of the City by the Maricopa County Elections Department and the

Mayor and the City Clerk or either of them. The Mayor and the City Clerk or either of them is each hereby authorized and directed to enter into a contract with the Maricopa County Recorder to obtain precinct registers for the election and to enter into an agreement with the Maricopa County Elections Department to conduct the election for the City.

Section 7. Deadline for Voter Registration and Early Voting Dates. Early voting will be permitted at the election in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended. A voter in this 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 Maricopa County voter register rolls within the boundaries of the City twenty-nine (29) days prior to the date of the election. Maricopa 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 8, 2018.

Early voting will be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended.

Section 8. Voting Rights Act and Spanish Translation. To comply with the Voting Rights Act of 1965, as amended, the 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 for such proceedings are required, such as this call of election, the notice of election, ballots, the informational pamphlet, all early voting materials and all instructions at the polling places.

Section 9. Establishing Polling Places. The polling places used in the City will be the polling places established by Maricopa County and used for conducting previous elections in the City, if available. The polls will be open from 6:00 a.m. until 7:00 p.m. on Election Day.

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 will file and record a certificate of result of election in the office of the Maricopa County Recorder. The City Council will be governed by the vote of the majority on the question submitted.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, on July 2, 2018.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Bond Counsel

Exhibit A: Official Ballot

CERTIFICATION

I, Dee Ann Mickelsen, the duly appointed and acting City Clerk of the City of Mesa, Arizona, do hereby certify that the above and foregoing Resolution No. _____ was duly passed by the City Council of the City of Mesa, Arizona, at a regular meeting held on July 2, 2018, and the vote was ____ aye's and ____ nay's and that the Mayor and ____ Council Members were present thereat.

Dated: July 2, 2018.

City Clerk

EXHIBIT A

OFFICIAL BALLOT

FOR SPECIAL BOND ELECTION IN AND FOR THE CITY OF MESA, ARIZONA ON NOVEMBER 6, 2018.

General Provisions for All Bond Questions

The following provisions apply to all bond questions. Specific information for each authorized purposes is set out in each 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, architectural, design, engineering and construction management costs, if applicable, and all other costs incurred in connection with the issuance of the bonds and the purposes 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.
- 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%) 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.
- Bonds will mature over a period not to exceed twenty-five (25) years from their date of issuance.
- Bonds will mature on the days of each year determined by the City Council.

QUESTION NO. __

**PURPOSE: LIBRARIES, MUSEUMS, ARTS AND CULTURAL FACILITIES, PARKS,
OPEN SPACE AND RECREATIONAL FACILITIES**

AMOUNT: \$111,000,000

Shall the City of Mesa, Arizona be authorized to issue and sell general obligation bonds of the City in the principal amount not exceeding \$111,000,000 to provide funds to design, acquire, construct, reconstruct, improve, furnish, equip and install: libraries, museums, arts and cultural facilities and improvements, parks, open space and recreational facilities and 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; 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%) per annum; and may have principal payable not later than 25 years from the date issued?

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 annual debt service on the 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 Mesa governing body to issue and sell \$111,000,000 of general obligation bonds of the City of Mesa to be repaid with secondary property taxes.

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

"Tag Line" language

Shall Mesa be authorized to issue and sell \$111,000,000 of general obligation bonds for libraries, museums, arts and cultural facilities and improvements, parks, open space and recreational facilities and improvements?