

THIRD DRAFT DATED MAY 16, 2023

RESOLUTION NO. R23-37

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, ARIZONA, ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, IN AND FOR THE CITY OF GLENDALE, ARIZONA, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF QUESTIONS OF SELLING AND ISSUING BONDS PAYABLE FROM SECONDARY (AD VALOREM) PROPERTY TAXES

WHEREAS, the Mayor and Council of the City of Glendale, Arizona (hereinafter referred to as the "City"), determine that certain, future capital needs of the City can be financed best through the issuance and sale of bonds of the City, the debt service with respect to which shall be paid through the levy of secondary (ad valorem) property taxes; and

WHEREAS, pursuant to Section 35-452, Arizona Revised Statutes, as amended, the Mayor and Council of the City must order an election to determine whether such indebtedness shall be authorized (hereinafter referred to as the "Election");

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GLENDALE, ARIZONA:

Section 1. (A) That the Election, in and for the City, be and the same is hereby ordered and called to be held on November 7, 2023, at which time there shall be submitted to the qualified electors of the City two questions relating to authorizing the sale and issuance of bonds of the City in the aggregate principal amounts and for the

purposes set forth in the official ballot for the Election (hereinafter referred to as the "Official Ballot")

(B) That if a question passes at the Election, the aggregate principal amount of the bonds to be authorized at the Election with respect to such question shall be the applicable amount set forth in the Official Ballot; the maximum rate of interest to be paid thereon shall be not more than eight percent (8%) per annum; the minimum and the maximum number of years bonds of any issue or series authorized at the Election may run from their date shall be five (5) years and twenty-five (25) years, the purposes for which the money derived from the sale of the bonds will be expended shall be as more fully set forth in the Official Ballot; the City currently has \$19,645,717 in outstanding general obligation debt, including principal and allocable unamortized premium, chargeable against the 6% limit and \$114,833,854 in outstanding general obligation debt, including principal and allocable unamortized premium, chargeable against the 20% limit and the constitutional debt limit of the City is \$681,386,152, being 26% of the net assessed full cash value of the City (which debt limit is based on the value provided by the assessor of Maricopa County, Arizona (hereinafter referred to as the "County") for fiscal year 2022- 2023).

Section 2. That the Official Ballot shall be in substantially the form attached hereto as Exhibit "A."

Section 3. (A) That notice of the Election shall be given by mailing an informational pamphlet (hereinafter referred to as the "Informational Pamphlet") to each

household within the City that contains a registered voter not less than thirty-five (35) days before the date of the election.

(B) That the Informational Pamphlet shall be prepared by the Clerk of the City, and the Clerk of the City is hereby authorized and directed to cause the Informational Pamphlet to be provided as and under the circumstances described herein in the form she deems acceptable.

(C) That, pursuant to Section 35-454, Arizona Revised Statutes, as amended, the City hereby sets the date of August 9, 2023, at the hour of 5:00 p.m., as the deadline to submit arguments "for" and "against" the authorization to issue the bonds.

(D) That the Clerk of the City is hereby authorized to request arguments "for" and "against" the subject matter of the Election by providing the notice in the form and by the means provided in the form attached hereto and marked Exhibit "B" (hereinafter referred to as the "Request for Arguments"). The Clerk of the City is authorized to revise the form of notice hereto as necessary to comply with all applicable laws, including an estimate of the average tax rate for the proposed bond authorization required by Section 35-454.C, Arizona Revised Statutes, as amended.

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.

(E) 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.

Section 4. That the Informational Pamphlet shall contain the information required by Section 35-454, Arizona Revised Statutes, as amended, and a sample of the Official Ballot and shall be in a form the Clerk of the City deems acceptable.

Section 5. That in order to comply with the Voting Rights Act of 1965, as amended, the following materials pertaining to the Election shall be translated into Spanish and mailed or distributed in each instance where mailing or distributing of such materials is required, to-wit: Request for Arguments, Informational Pamphlet, Official Ballot, Absentee/Early Voting Materials and Voting Instructions.

Section 6. (A) That the Election shall be held, conducted and canvassed in conformity with the provisions of the general election laws of the State of Arizona, except as otherwise provided by law, and only such persons shall be permitted to vote at the Election who are qualified electors of the City.

(B) The special election will be conducted by mail and no polling places will be provided.

(C) The City Clerk of the City is authorized and directed to take all actions, including entering into a contract with the County Recorder of the County to enter into an agreement with the Elections Department of the County to conduct the Election for the City. The City Clerk of the City shall coordinate with the Elections Department of the County to designate a location for purposes of replacing ballots that have been lost, spoiled, destroyed or not received by the elector.

(D) That all expenditures as may be necessary to order, notice, hold and administer the Election are hereby authorized, which expenditures shall be paid from current operating funds of the City.

(E) That the Clerk of the City is hereby authorized to take all necessary action to facilitate the Election.

Section 7. (A) That the official returns from the Election shall be made to the Mayor and Council of the City within twenty (20) days from the date of the Election and the Election shall be canvassed and the results thereof certified by the Mayor and Council of the City at a meeting to be held within twenty (20) days after the date of the Election, as provided by law.

(B) That the Mayor and Council of the City shall file and record in the office of the County Recorder of the County a certificate disclosing with respect to the Election the purpose of the Election, the total number of votes cast and the total number of votes for and against creating the indebtedness and stating whether or not the indebtedness is ordered in each case.

PASSED by the Council of the city of Glendale this 23rd day of May, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

EXHIBIT "A"
FORM OF OFFICIAL BALLOT

QUESTION 1

PURPOSE: STREET AND INTERSECTION IMPROVEMENTS
PRINCIPAL AMOUNT: \$82,000,000

Shall the City of Glendale, Arizona (the "City"), be authorized to issue bonds in a principal amount not to exceed \$82,000,000 for the purpose of providing funds for streets, including, but not limited to the following:

- Constructing and reconstructing street and intersection safety improvements;
- Constructing and reconstructing major and local streets, highways and bridges within the City; and
- Congestion reduction, street widening, street signage, lighting, and landscaping,

including providing for other general capital expenses related to streets or for liquidating any indebtedness already incurred for street purposes and for paying other costs related thereto, including, but not limited, to all legal, financial, engineering, architectural, project management and administration and other necessary costs in connection therewith and, in connection therewith as necessary, to acquire all necessary and related facilities, equipment, appurtenances and land therefor by purchase or any other method of acquisition and to pay all costs incidental to any of the foregoing and to the sale and issuance of such bonds or any series thereof, to be issued as general obligation bonds of the City, payable from secondary (ad valorem) property taxes levied upon all of the taxable property in the City, to mature not more than 25 years from their date and to bear interest at a rate of not to exceed 8% per annum and may be sold at prices that include premiums not greater than permitted by law?

The issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

A **"YES"** vote shall authorize the governing body of the City to issue and sell \$82,000,000 of general obligation bonds of the City to be repaid with secondary property taxes.

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

BOND APPROVAL, YES
BOND APPROVAL, NO

TAGLINE TEXT FOR QUESTION 1:

Shall the City of Glendale be authorized to sell up to \$82,000,000 in general obligation bonds for street and intersection improvements? The issuance of these bonds will result in a property tax increase sufficient to pay annual debt service on the bonds.

A **“YES”** vote shall authorize the City of Glendale governing body to issue and sell \$82,000,000 of general obligation bonds of the City of Glendale to be repaid with secondary property taxes.

A **“NO”** vote shall not authorize the City of Glendale governing body to issue and sell such bonds of the City of Glendale.

BOND APPROVAL, YES
BOND APPROVAL, NO

QUESTION 2

PURPOSE: PUBLIC SAFETY
PRINCIPAL AMOUNT: \$78,000,000

Shall the City of Glendale, Arizona (the "City"), be authorized to issue bonds in a principal amount not to exceed \$78,000,000 for the purpose of providing funds for public safety projects, including, but not limited to the following:

- Planning, acquiring, designing, constructing, modernizing, and improving fire stations, police stations, police and fire training academies, police department forensics laboratories, and other public safety facilities; and
- Acquiring additional and replacement fire and police protection equipment; crime prevention, public safety and security systems; and fire trucks, police cars and other public safety vehicles,

including providing for other general capital expenses related to public safety or for liquidating any indebtedness already incurred for public safety purposes and for paying other costs related thereto, including, but not limited, to all legal, financial, engineering, architectural, project management and administration and other necessary costs in connection therewith and, in connection therewith as necessary, to acquire all necessary and related facilities, equipment, appurtenances and land therefor by purchase or any other method of acquisition and to pay all costs incidental to any of the foregoing and to the sale and issuance of such bonds or any series thereof, to be issued as general obligation bonds of the City, payable from secondary (ad valorem) property taxes levied upon all of the taxable property in the City, to mature not more than 25 years from their date and to bear interest at a rate of not to exceed 8% per annum and may be sold at prices that include premiums not greater than permitted by law?

The issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

A **"YES"** vote shall authorize the governing body of the City to issue and sell \$78,000,000 of general obligation bonds of the City to be repaid with secondary property taxes.

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

BOND APPROVAL, YES
BOND APPROVAL, NO

TAGLINE TEXT FOR QUESTION 2:

Shall the City of Glendale be authorized to sell up to \$78,000,000 in general obligation bonds for fire, police and other public safety projects? The issuance of these bonds will result in a property tax increase sufficient to pay annual debt service on the bonds.

A **“YES”** vote shall authorize the City of Glendale governing body to issue and sell up to \$78,000,000 of general obligation bonds of the City of Glendale to be repaid with secondary property taxes.

A **“NO”** vote shall not authorize the City of Glendale governing body to issue and sell such bonds of the City of Glendale.

BOND APPROVAL, YES
BOND APPROVAL, NO

EXHIBIT "B"

FORM OF REQUEST NOTICE

REQUEST FOR ARGUMENTS FOR AND AGAINST THE AUTHORIZATION OF SALE AND ISSUANCE OF BONDS PAYABLE FROM A SECONDARY (AD VALOREM) PROPERTY TAX BY THE CITY TO BE CONSIDERED BY THE VOTERS OF THE CITY OF GLENDALE, ARIZONA, AT AN ELECTION TO BE HELD ON NOVEMBER 7, 2023.

Pursuant to Resolution No. O23-_____ adopted by the Mayor and Council of the City of Glendale, Arizona, (the "City"), on May 23, 2023 (the "Resolution"), a special bond election will be held on November 7, 2023 (the "Election"). 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. Notice of the Election will be given by mailing an informational pamphlet. Such information is to include arguments for and against the authorization of the issuance of bonds. (The text of the questions to be considered at the Election is included in the Resolution which is available at the Office of the Clerk of the City at 5850 West Glendale Avenue, Suite 455, Glendale, Arizona 85301.) Any person interested in providing any such argument with respect to one or both of the bond propositions is hereby requested to provide the same and sworn statement to the Clerk of the City at the address indicated above before 5:00 p.m., Arizona time on August 9, 2023. 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. If you have any questions about the foregoing, please contact the Clerk of the City at (623) 930-2252, option "1".

/s/ Julie K. Bower

City Clerk, City of Glendale, Arizona

This Request (along with Spanish translation thereof) should be posted at all places at which notices of meetings of the Mayor and Council of the City are posted and published once in the Glendale Star.