

RESOLUTION NO. R2024.33

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, IN AND FOR THE CITY OF TEMPE, ARIZONA, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF THREE QUESTIONS WITH RESPECT TO SELLING AND ISSUING BONDS PAYABLE FROM SECONDARY (AD VALOREM) PROPERTY TAXES

WHEREAS, the Mayor and Council of the City of Tempe, Arizona (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, the Mayor and Council of the City must order an election to determine whether such indebtedness shall be authorized (the "Election");

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TEMPE, ARIZONA, AS FOLLOWS:

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 5, 2024, at which time there shall be submitted to the qualified electors of the City three questions with respect 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 (the "Official Ballot").

(B) That the aggregate principal amount of the bonds to be authorized at the Election shall be \$581,500,000; the maximum rate of interest to be paid thereon shall be not more than ten percent (10%) per annum; the minimum and maximum number of years bonds of any issue or series authorized at the Election may run from their date shall be one (1) year and twenty-five (25) years, respectively; 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 \$464,861,482 aggregate principal amount of general obligation tax debt outstanding and the constitutional debt limit of the City as of the date of adoption of this resolution is \$1,300,707,857, being twenty-six percent (26%) of the net assessed full cash value of the taxable property in the City, which debt limit is based on an estimated value provided by the assessor of Maricopa County, Arizona (the "County") for 2024/2025.

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

Section 3. (A) That notice of the Election shall be given by mailing an informational pamphlet (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, the City hereby sets the date of August 7, 2024, 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 notice in the form and by the means attached as Exhibit B hereto (the "Request for Arguments"). The Clerk of the City is authorized to revise the Request for Arguments as necessary to comply with all applicable laws.

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

Section 5. That the Clerk of the City is hereby authorized and directed to have the Official Ballot printed, delivered to the appropriate locations and then forwarded to the qualified electors of the City to vote at the Election.

Section 6. That in order to comply with the Voting Rights Act of 1965, 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 7. (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) That absentee/early voting with respect to the Election shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes.

(C) That the Election may be conducted (i) using either electromechanical or electronic vote recording and ballot counting equipment or paper ballots, or (ii) as a mailed ballot election as provided in Section 16-409, Arizona Revised Statutes, in each case as shall be determined to be in the best interests of the City by the Clerk of the City.

(D) That the Clerk of the City is authorized and directed, if necessary, to enter into a contract with the County Recorder of the County to obtain precinct registers for the Election and to enter into an agreement with the Elections Department of the County to conduct the Election for the City.

(E) 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.

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

Section 8. (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 Clerk of the City on behalf of 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.

PASSED, ADOPTED, and APPROVED this 25th day of April, 2024.



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Corey D. Woods, Mayor

ATTEST:



.....
Kara A. DeArrastia, City Clerk

APPROVED AS TO FORM:



.....
Eric C. Anderson, City Attorney

CERTIFICATION

I hereby certify that the foregoing Resolution No. R2024.33 was duly passed and adopted by the Mayor and the Council of the City of Tempe, Arizona, at a regular meeting held on the 25th day of April 2024, and the vote was ...1... ayes and ..0... nays and that the Mayor and ...6... Councilmembers were present thereat.

Kara A. DeArrastia
.....
Kara A. DeArrastia, City Clerk

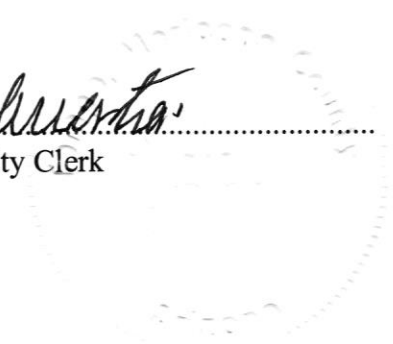


EXHIBIT A

FORM OF OFFICIAL BALLOT

QUESTION NO. 1

PURPOSE: ENHANCE COMMUNITY SAFETY THROUGH PUBLIC SAFETY AND ROADWAY IMPROVEMENTS

AMOUNT: \$301,000,000

Shall the City of Tempe, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$301,000,000 to provide funding for fire, police, roadway, pedestrian infrastructure, and storm drain projects, including, but not limited to projects intended to:

- Reduce response times and improve service delivery by modernizing public safety infrastructure, including construction, improvement, repair, and renovation of police and fire stations;
- Enhance safety conditions of drivers and pedestrians through construction, improvement, and repair of highways, streets, right of ways, bike paths, bridges, alleys, sidewalks, crosswalks, lighting, and parking lots;
- Improve roadway mobility and reduce congestion for commuters;
- Expand and enhance transportation connectivity options for the disabled community and in areas where access to safe transportation is limited;
- Construct, reconstruct, or improve traffic control systems, devices, facilities, street lighting, street signage and undergrounding utility lines; and
- Mitigate the impact of floods and storms through infrastructure improvements, including sewers, detention basins, and flood control projects?

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment, and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds will be issued in one or more series as tax-exempt or taxable bonds and may be sold at prices that include premiums not greater than permitted by law. Such bonds may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

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

A "yes" vote shall authorize the governing body of the City to issue and sell up to \$301,000,000 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.

QUESTION NO. 2

PURPOSE: IMPROVE QUALITY OF LIFE IN TEMPE NEIGHBORHOODS

AMOUNT: \$248,500,000

Shall the City of Tempe, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$248,500,000 to provide funding for parks, historic preservation, and municipal infrastructure projects, including but not limited to:

- Enhancing existing parks and adding additional park space across the City;
- Constructing and renovating playgrounds and recreational facilities;
- Increasing accessibility and improving Americans with Disabilities Act (ADA) compliance in publicly owned spaces and facilities;
- Constructing, renovating, and improving municipal infrastructure and facilities; and
- Acquiring and improving technological infrastructure?

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment, and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds will be issued in one or more series as tax-exempt or taxable bonds and may be sold at prices that include premiums not greater than permitted by law. Such bonds may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

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

A “yes” vote shall authorize the governing body of the City to issue and sell up to \$248,500,000 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.

QUESTION NO. 3

PURPOSE: INCREASE SUPPLY OF AFFORDABLE HOUSING

AMOUNT: \$32,000,000

Shall the City of Tempe, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$32,000,000 to provide funding to increase the supply of affordable housing, including but not limited to:

- Redeveloping City owned housing to create additional affordable rental units;
- Repurposing existing available buildings into rental units; and
- Acquisition of land and enhancement of properties for development of affordable housing?

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment, and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds will be issued in one or more series as tax-exempt or taxable bonds and may be sold at prices that include premiums not greater than permitted by law. Such bonds may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

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

A “yes” vote shall authorize the governing body of the City to issue and sell up to \$32,000,000 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.

EXHIBIT B

FORM OF REQUEST FOR ARGUMENTS

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 OF TEMPE, ARIZONA TO BE
CONSIDERED BY THE VOTERS OF THE CITY AT AN
ELECTION TO BE HELD ON NOVEMBER 5, 2024.

Pursuant to Resolution No. R2024.33 adopted by the Mayor and Council of the City of Tempe, Arizona (the "City"), on April 25, 2024 (the "Resolution"), a special election in and for the City was ordered and called to be held on November 5, 2024 (the "Election").

Notice of the Election will be given by mailing an informational pamphlet. Such informational pamphlet is to include arguments for and against the authorization of the issuance of bonds payable from a secondary (ad valorem) property tax by the City to be considered at the Election. (The text of the questions to be considered at the Election is included in the Resolution which is available at the Office of the City Clerk at 31 E. 5th St., Tempe, Arizona 85281.) Any person interested in providing any such argument(s) is hereby requested to provide the same to the City Clerk in electronic format at clerk@tempe.gov, before 5:00 p.m., Arizona Time, on August 7, 2024.

Each argument filed shall not exceed 300 words and, in accordance with Arizona Revised Statutes, shall contain the sworn statement of each person sponsoring it; if the argument is submitted by an organization, it shall contain the sworn statement of two executive officers of the organization or if submitted by a political committee it shall contain the sworn statement of the committee's chairman or treasurer. If the argument is submitted by an individual and not on behalf of an organization, a political committee or any other group, the person shall submit the argument with a sworn, notarized statement. Each argument filed shall also be submitted in electronic format to the City Clerk's Office at clerk@tempe.gov. The person or persons signing the argument shall identify themselves by giving their residence address and a telephone number, which shall not appear in the informational pamphlet. Any argument that is submitted that does not comply with the above requirements may not be included in the informational pamphlet.

If you have any questions about the foregoing, please contact the City Clerk at 480-350-4311.

/s/ Kara A. DeArrastia

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Clerk, City of Tempe, Arizona

[This Request for Arguments (along with the 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 will be published in a newspaper of general circulation in the jurisdiction of the City of Tempe.]