

**A RESOLUTION OF THE GOVERNING BOARD OF  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10  
OF PIMA COUNTY, ARIZONA**

**Resolution Ordering, Calling for and Providing Notice of an Election to be Held on November 5, 2019, in and for the Amphitheater Unified School District No. 10 of Pima County, Arizona, to Submit to the Qualified Electors thereof the Question of Authorizing the Adoption of a Maintenance and Operations Budget for Fiscal Year 2019-2020 that Continues the Existing Maintenance and Operations Budget Override of Ten Percent (10%), and Authorizes a Separate Special Programs Budget Override Specifically to Benefit Kindergarten through Third Grade Programs in the District in the Amount of Three and One-Half Percent (3.5%), for a Combined Total Override of the Revenue Control Limit Specified by Statute in the Amount of Thirteen and One-Half Percent (13.5%), Approximately \$10,679,841 and Related Matters; Approval of Proposed and Alternate Proposed Budgets, and Related Matters.**

**WHEREAS**, the provisions of Title 15, Chapter 4, Article 4, Arizona Revised Statutes, including A.R.S. § 15-481, as amended, require that a budget override election be held in and for the Amphitheater Unified School District No. 10 of Pima County, Arizona (the "District") to submit to the qualified electors thereof the question of authorizing the renewal and continuation of the existing maintenance and operations budget override of ten percent (10%), and authorizing a separate special programs budget override specifically to benefit Kindergarten through third grade programs in the District in the amount of three and one-half percent (3.5%), for a combined total override of the revenue control limit specified by Title 15, Chapter 9 ("Revenue Control Limit"), in the amount of thirteen and one-half percent (13.5%); and

**WHEREAS**, following the 2005 voter approval of a ten percent (10%) override in the District's Revenue Control Limit for general operation and maintenance expenses, and renewal of that override in 2009 and again in 2014, the District has operated pursuant to such budget override authority to provide the programs and operations specifically authorized by that override;

**WHEREAS**, the existing 10% budget override authorization will automatically begin to phase-out and be reduced by one-third as required by State law in fiscal year 2019-2020 and another one-third in fiscal year 2020-2021, and terminate thereafter, unless such authorization is renewed by the voters in the District; and

**WHEREAS**, the District desires to renew the override to continue to maintain the District's programs and operations currently funded through that override;

**WHEREAS**, the District further desires to ask electors to approve a separate budget override for special programs, as permitted by A.R.S. § 15-482, in an amount of 3.5% of the Revenue Control Limit, to benefit programs for early learners in Kindergarten through third grade and to remove barriers to academic achievement for those students, as well as to improve instruction or increase the amount of instruction in those grade levels.

**WHEREAS**, the Board had determined it necessary and in the best interests of the District to order and call a special election to submit to the voters the following two questions requesting: (1) authority for the District, for a period of five to seven years, to continue the existing maintenance and operations budget override of ten percent (10%) of the Revenue Control Limit, and (2) authority for the District, for a period of five to seven years, to exceed its budgeted expenditures for its special programs in Kindergarten through third grade, in an amount of 3.5% of the Revenue Control Limit, to benefit instruction and programs specifically for those grades, and to order and call an election (the “Election”) for such purpose;

**WHEREAS**, by this Resolution, the Board shall delegate to the District Superintendent, the District Associate to the Superintendent and General Counsel, the District Chief Financial Officer, or their designees, the authority to determine the manner in which the Election will be conducted and the responsibilities required to conduct such an Election;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10 OF PIMA COUNTY, ARIZONA:**

Section 1. Purpose. Funds derived from the maintenance and operations budget override in the amount of 10% of Revenue Control Limit, if continued by the District’s electors, will be used to continue to reduce class sizes; provide for music, art and physical education classes in the District’s elementary and K-8 schools; provide for math and writing labs, as well as additional offerings of technology, science, and fine arts electives in the District’s middle and high schools to further enhance the District’s educational programs; provide compensation enhancement for District employees to allow the District to remain competitive in the market and attract strong candidates for employment; and add additional support staff positions. These interventions were evaluated and determined absolutely necessary by a Blue Ribbon Committee in 2004, and the need for them has been reaffirmed by taxpayers through votes in favor of the override in 2005, 2009, and again in 2014. The revenue from the maintenance and operations override will continue to be allocated for the same purposes initially approved as necessary by taxpayers in 2005, as more specifically detailed below:

- Class Size Reduction and Other Educational Enhancements to include:
  - Continuation of class size reduction and maintenance of class sizes in core content areas,
  - Continuation of expanded art, music and physical education programs, by specialist teachers, at the elementary levels,
  - Continuation of expanded higher content level course offerings and programs at the middle and high school levels, and
  - Continuation of the year-round intervention programs for struggling learners; and
- Continuation of staffing support for school facilities and technology equipment; and

- Ensure Equity and Competition with Other Employers in Attracting and Retaining Staff.

In addition, the additional funds derived from a special programs override, as permitted by A.R.S. § 15-482, to exceed the budgeted expenditures of the Kindergarten through third grade program, in the amount of 3.5% of the Revenue Control Limit, will be used to further benefit instruction for the early learners in Kindergarten through third grade and may involve efforts to remove barriers to academic achievement as well as efforts to improve instruction or increase the amount of instruction by:

- Providing free full-day Kindergarten at all of Amphitheater's elementary and K-8 schools; and
- Adding additional teacher positions in the Kindergarten through third grades at elementary and K-8 schools as needed to further reduce class sizes in those grades.

The combined expense required to provide all of these interventions to Amphitheater students, including those initially approved by the taxpayers as a 10% override in 2005 (and reaffirmed by renewals in 2009 and 2014) and the addition of a special programs override (to benefit students in Kindergarten through third grade) of 3.5% of the Revenue Control Limit, is a total combined override of 13.5% percent of the Revenue Control Limit. The additional capacity that would be provided by such combined overrides is \$2,418,068.

Section 2. Expenditures and Authority. The Board authorizes all expenditures as may be necessary to order, notice, hold and administer the Election. The District's Associate of the Superintendent and General Counsel, in consultation with the District's Chief Financial Officer, is authorized and directed to complete the budget estimate and insert the appropriate dollar amounts and tax rate in the ballot and take such actions as are necessary to assist the Pima County School Superintendent ("the County Superintendent") and the Pima County Elections Department ("the County Department") in performing their duties related to the Election.

Section 3. Early Voting. 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, as amended, as follows:

Any qualified elector is eligible for early voting. The below dates for voting in the General Election were obtained from the Pima County Recorder's Office, Elections Department, and are subject to change.

Last day to register to vote in the General Election:	October 7, 2019
First day early ballots available:	October 9, 2019
Last day to request early ballot be mailed to a voter:	October 25, 2019
Last day to vote early	November 1, 2019

Emergency early voting ends:

November 4, 2019

The Pima County Recorder's Office will provide information to voters about how to vote in person and the deadline to mail a ballot back. The last date to vote in the early voting location is Friday, November 1, 2019. In addition, the Pima County Recorder will instruct the voters how to obtain a replacement ballot. Voters should contact the Pima County Recorder's Office for this information. In order for a ballot to be valid and counted, the ballot and affidavit must be delivered to the office designated by the Pima County Recorder for replacement ballot voting or deposit in the replacement voting location on election day (November 5, 2019) at any replacement voting location designated for this election no later than 7:00 p.m.

Contact Information for the Pima County Recorder's Office:

240 North Stone Avenue  
Tucson, Arizona  
(520) 724-4333

Because the Recorder's Office has indicated that these dates are subject to change, each and every one of the above dates and times and requirements identified above should be confirmed with the Pima County Recorder's Office in advance of their expiration.

Section 4. Projection of Taxes Anticipated to be Collected Annually. The District has prepared a projection of the amount of taxes anticipated to be collected annually if the budget override renewal and increase is approved by the voters. In Section 1 of this Resolution, the District has identified programs and categories for which expenditures are contemplated. The projection of tax rates is summarized in Exhibit A which is attached hereto and incorporated herein by reference.

Section 5. Proposed and Proposed Alternate Budgets. The proposed budget for the District for the 2019-2020 fiscal year is attached as Exhibit B. The budget that the District is proposing to the voters includes the continuation of the 10% maintenance and operations budget override, as well as the 3.5% special programs K-3 budget override, for a combined total override of the Revenue Control Limit in the amount of 13.5%. If both questions being presented to the voters are approved, then Exhibit B is the budget that will be approved by the voters.

In fiscal years 2019-2020 through 2023-2024, the total amount of the proposed budget (Exhibit B) will be a 13.5% budget override of the Revenue Control Limit as permitted by A.R.S. § 15-481. The amount of the proposed budget override will be reduced by one-third in fiscal year 2024-2025 and by another 1/3 in fiscal year 2025-2026, unless continued by the voters, to comply with A.R.S. § 15-481.

The alternative budget that may be put in place by voters depending upon how the votes are cast on the 2 ballot questions in the November 5, 2019 election is identified below:

<b>Vote Result</b>	<b>Alternative Budget Resolution Exhibit</b>	<b>Description of the Alternative Budget</b>	<b>Total Budget Override Amount</b>
The below alternative budget(s) may be put into place depending upon how voters ultimately decide each of the two questions:			
Yes: Continue the 10% Budget Override No: 3.5% Special Program K-3 Override	Exhibit C	This alternate budget includes only the current 10% maintenance and operations override as continuing. It does not include the 3.5% Special Programs override.	10%
No: Continue the 10% Budget Override No: 3.5% Special Program K-3 Override	Exhibit D	This alternate budget has the existing 10% maintenance and operations override discontinuing and phasing out. It does not include the 3.5% special programs override.	6.7%* *Year 6 Phase Down
No: Continue the 10% Budget Override Yes: 3.5% Special Program K-3 Override	Exhibit E	This alternate budget includes the 3.5% special programs budget override, but discontinues and phases-out the existing 10% maintenance and operations override	10.2% (6.7%* + 3.5%) *Year 6 Phase Down

The budgets identified in Exhibits B through E, and incorporated by reference here, each pinpoint the respective amount of revenue projected to be collected if the electors vote, as indicated above, to approve that respective budget.

Section 6. Official Ballot. The official ballot for the Election (the “Official Ballot”) shall be in substantially the form attached hereto and marked Exhibit F with such changes as approved by the District's Superintendent and Associate to the Superintendent and General Counsel.

Section 7. Request to the County Superintendent. The County School Superintendent is requested to prepare an informational pamphlet and sample ballot (the “Informational Pamphlet”) for the District pursuant to A.R.S. § 15-481. The Informational Pamphlet shall be mailed to the households within the District in which qualified electors reside, before the date of the Election within the time period set forth in A.R.S. § 15-481. The Board President, any member of the Board, the District Superintendent, the District Associate to the Superintendent and General Counsel, or the District Chief Financial Officer and their staff are hereby authorized to prepare and deliver, or cause to be prepared and delivered, to the County School Superintendent, on behalf of the Governing Board, the information necessary or appropriate to complete the Informational Pamphlet.

Section 8. “Pro” or “Con” Statement. Pursuant to A.R.S. § 15-481, the County Superintendent has proposed August 9, 2019 as the deadline for submitting arguments “for” or “against” the proposed override - although the County Superintendent also notified school districts that this date is subject to change and the final date will be published in the newspaper as the “official” notice. Anyone wishing to submit a statement “for” or “against” the override renewal and increase should confirm the deadline for doing so with the County

Superintendent. Any “for” or “against” statements must be received by the County Superintendent on or before August 9, 2019 or, if changed, the date and time subsequently published by the County Superintendent in the newspaper as the official notice.

As required by statute, the District shall immediately post said date and time deadline for submitting “for” or “against” arguments in a prominent location on the District's website. The District's Governing Board President, any member of the Governing Board, the District Superintendent, the District Associate to the Superintendent and General Counsel, the District Chief Financial Officer, or their designee, are hereby authorized to prepare any necessary notice of the deadline for submitting such “for” or “against” statements to comply with all applicable laws or any change of date by the County Superintendent. The District Associate to the Superintendent and General Counsel and County Superintendent are further authorized to cause the publication of such notice.

Section 9. Conduct of Election. The Election shall be conducted in accordance with the laws of the State of Arizona and as nearly as practicable in the manner prescribed in Title 15, Chapter 4, Article 4, Arizona Revised Statutes, as amended, except as otherwise provided by law, and only qualified electors of the District shall be permitted to vote at the Election.

Section 10. Election Notice. Notice of the Election shall also be given by posting copies of a notice in at least three public places in the District including each school within the District at least twenty-five days prior to the date of the Election. The Associate to the Superintendent and General Counsel of the District is hereby authorized and directed to cause notices for such purposes to be posted according to law and to the provisions of this Resolution. Such notices shall be substantially in the form attached hereto and marked Exhibit G.

Section 11. Printing of Ballot. The Associate to the Superintendent and General Counsel of the District and/or her designees are hereby authorized and directed to print the Official Ballot, as needed, and deliver the Official Ballot to the election officials at the polling places, who will then furnish the ballots to the qualified electors of the District offering to vote at the Election.

Section 12. Spanish Translation. 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 are required, to-wit: Informational Pamphlet, Official Ballot, “Absentee/Early Voting Materials” and “Instructions At The Polling Places.”

Section 13. Polling Places. For purposes of the Election, which may be held in conjunction with any county, city or special district election included in the Special Election on November 5, 2019, the Board determines that the County election precincts in the District, if any, as determined by the Pima County Elections Department for the election shall be the precincts for the Election. The location of any polling place will be determined by the Pima County Elections Division, and the Elections Division will conduct the Election on behalf of the District. The Board specifically finds that if no suitable polling place is available within a precinct of the District, the adjacent polling places for the Special Election so

designated by the District's Associate to the Superintendent and General Counsel and the Elections Division are determined to be the most suitable for the conduct of the Election. The Election may be consolidated with any election to be conducted on the same date by any overlapping jurisdiction.

Section 14. Election.

- A. The Governing Board calls for the placement of the measure described in this Resolution on the ballot for a November 5, 2019 Special Election for approval by the voters.
- B. The County School Superintendent shall prepare the final ballot text and informational pamphlet for the following measure:

**OFFICIAL TITLE:** Special Election.

**DESCRIPTIVE TITLE:** Pursuant to the authority granted by the State of Arizona, Amphitheater Unified School District No. 10 of Pima County Arizona seeks voter approval to continue the existing maintenance and operation budget override, which has been in effect by voter approval since 2005, in the amount of ten percent (10%) of the District's revenue control limit as permitted by Title 15, Chapter 9 of the Arizona Revised Statutes.

- C. The County School Superintendent shall prepare the second final ballot text and informational pamphlet for the following measure:

**OFFICIAL TITLE:** Special Election.

**DESCRIPTIVE TITLE:** Pursuant to the authority granted by the State of Arizona, Amphitheater Unified School District No. 10 of Pima County Arizona seeks voter approval to add a special programs override, as permitted by A.R.S. §15-482, to exceed the budgeted expenditures of the Kindergarten through third grade programs in the District, in the amount of 3.5% of the District's revenue control limit as permitted by Title 15, Chapter 9 of the Arizona Revised Statutes, to further benefit instruction for the early learners in Kindergarten through third grade and to remove barriers to academic achievement as well as to improve instruction or increase the amount of instruction.

Section 15. Addenda and Exhibits. All exhibits to this resolution are hereby incorporated by reference.

Section 16. Funding Source. Any continuation of the maintenance and operations budget override in the amount of 10% of the Revenue Control Limit authorized by this Election in an amount to exceed the Revenue Control Limit shall be entirely funded by a levy of taxes on the taxable property within this school district for the year for which adopted

and for six (6) subsequent years, shall not be realized from monies furnished by the state and shall not be subject to the limitation on taxes specified in Article IX, Section 18, Constitution of Arizona. Based on the current net assessed valuation used for secondary property tax purposes, to fund the proposed continued increase in the school district's budget that will be funded by a levy of taxes on the taxable property within this school district would require an estimated tax rate of \$0.5193 dollar per one hundred dollars of net assessed valuation used for secondary property tax purposes and is in addition to the school district's tax rate that will be levied to fund the school district's Revenue Control Limit allowed by law.

Any special programs budget increase authorized by this Election in an amount to exceed the special programs budget for Kindergarten through third grade programs, in an amount of three and one-half percent (3.5%) of the Revenue Control Limit, shall be entirely funded by a levy of taxes on the taxable property within this school district for the year for which adopted and for six (6) subsequent years, shall not be realized from monies furnished by the state and shall not be subject to the limitation on taxes specified in Article IX, Section 18, Constitution of Arizona. Based on the current net assessed valuation used for secondary property tax purposes, to fund the proposed increase in the school district's budget that will be funded by a levy of taxes on the taxable property within this school district would require an estimated tax rate of \$0.1818 dollar per one hundred dollars of net assessed valuation used for secondary property tax purposes and is in addition to the school district's tax rate that will be levied to fund the school district's Revenue Control Limit allowed by law.

**PASSED AND ADOPTED** by the Governing Board this 20<sup>th</sup> day of June, 2019.

Governing Board Members:

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Vicki Cox Golder  
President

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Susan Zibrat  
Vice-President

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Scott K. Baker, Ph.D.

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Deanna M. Day, M.Ed.

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Matthew A. Kopec



Encs: Official Addenda and Exhibits:

- Exhibit A: Tax Rate Projections  
Tax Rate Graph
- Exhibit B: Proposed Budget, Inclusive of 10% Maintenance and Operations  
Override Revenues and 3.5% K-3 Special Programs Override  
Revenues
- Exhibit C: Proposed Alternate Budget, Exclusive of 10% Maintenance and  
Operations Override Revenues and Exclusive of 3.5% K-3 Special  
Programs Override Revenues
- Exhibit D: Proposed Alternate Budget, Exclusive of 10% Maintenance and  
Operations Override Revenues and Exclusive of 3.5% K-3 Special  
Programs Override
- Exhibit E: Proposed Alternate Budget, Exclusive of 10% Maintenance and  
Operations Override Revenues and Inclusive of 3.5% K-3 Special  
Programs Override
- Exhibit F: Sample Ballot
- Exhibit G: Notice of Order and Call for Election  
Affidavit of Posting Notice