

RESOLUTION

RESOLUTION ORDERING AND CALLING A SPECIAL DISTRICT ADDITIONAL ASSISTANCE OVERRIDE ELECTION TO BE HELD IN AND FOR MINGUS UNION HIGH SCHOOL DISTRICT NO. 4 OF YAVAPAI COUNTY, ARIZONA, ON NOVEMBER 4, 2014; PROVIDING FOR NOTICE OF THE ELECTION, THE CONDUCT OF THE ELECTION, THE ESTABLISHMENT OF A DEADLINE BY THE COUNTY SCHOOL SUPERINTENDENT TO SUBMIT ARGUMENTS "FOR" OR "AGAINST" THE OVERRIDE AUTHORITY, THE PRINTING OF BALLOTS, THE CANVASSING OF THE ELECTION AND COMPLIANCE WITH THE FEDERAL VOTING RIGHTS ACT.

WHEREAS, Arizona Revised Statutes ("A.R.S.") § 15-481, as amended, provides that if the proposed budget of Mingus Union High School District No. 4 of Yavapai County, Arizona (the "*District*"), will include an amount exceeding the district additional assistance limit (formerly known as the capital outlay revenue limit) for the budget year, the Governing Board of the District (the "*Board*") shall order an override election to be held not less than 90 days from the date of the order for the purpose of presenting the proposed budget to the qualified electors of the District who shall by a majority of those voting either affirm or reject the proposed budget increase; and

WHEREAS, the Board desires to order and call a special election for the purpose of requesting voter approval or disapproval of authority for the District to exceed its district additional assistance budget limit by the lesser of \$590,000 or ten percent (10%) of the District's revenue control limit per year for a period of not to exceed seven years. The special election is to be held in and for the District on November 4, 2014 pursuant to the provisions of A.R.S. § 15-481, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF MINGUS UNION HIGH SCHOOL DISTRICT NO. 4 OF YAVAPAI COUNTY, ARIZONA, THAT:

Section 1. Order and Call of Election. A special district additional assistance budget override election is hereby ordered and called to be held in and for this District on November 4, 2014, in the manner prescribed in A.R.S. § 15-481, and in conjunction with the Statewide general election to be held on such date, to submit to the qualified electors of the District the question shown on the form of official ballot in substantially the form attached to this resolution as *Exhibit A* and incorporated by reference herein. The District Superintendent or Director of Business Services is authorized and directed to complete the budget estimates and insert the appropriate dollar amount and tax rate in the ballot and take such actions as are necessary to assist the Yavapai County School Superintendent (the "*County School Superintendent*") and Yavapai County Elections Department (the "*County Elections Department*") in performing their duties with respect to the election.

Section 2. Request to County School Superintendent. The County School Superintendent is hereby requested to prepare an informational pamphlet and a sample ballot (the "*Informational Pamphlet*") for the District pursuant to A.R.S. § 15-481. The Informational Pamphlet shall be mailed to households within the District in which qualified electors reside, before the date of the election within the time period set forth in the applicable sections of A.R.S.

Section 3. Public Declaration: Submission of Arguments. The Board publicly declares that: Pursuant to A.R.S. § 15-481, the County School Superintendent has established August 8, 2014 as the deadline for submitting arguments "for" or "against" the proposed

increase in the budget. The arguments must be received by the County School Superintendent on or before 5:00 p.m. on August 8, 2014. As required by statute, the District shall immediately post the August 8, 2014 deadline for submitting arguments in a prominent location on the District's website. A form of the call of election and notice requesting arguments "for" or "against", including the deadline for submitting arguments, is attached hereto as Exhibit B. The District Superintendent or Director of Business Services is authorized to revise the form of notice hereto as necessary to comply with all applicable laws or any change of date by the County School Superintendent. The District Superintendent or Director of Business Services is authorized to cause the publication of a notice requesting the filing with the County School Superintendent of arguments "for" or "against" with respect to the election. The call of election and notice shall be published at least once prior to the deadline for submitting arguments.

Section 4. Conduct of Election; Contracts. The Board is hereby authorized to request the County School Superintendent and the County Elections Department to have ballots printed in substantially the form of Exhibit A and to deliver them to the election officials to be given to the qualified electors of the District appearing to vote in the special election as provided by law. The Board authorizes all expenditures as may be necessary to order, notice, hold and administer the special election. The District Superintendent or Director of Business Services is authorized and directed to enter into a contract with the Yavapai County Recorder (the "*County Recorder*") to obtain precinct registers for the election, as applicable, and to enter into an agreement with the County Elections Department to conduct the election for the District. The District Superintendent shall cooperate with the County School Superintendent to ensure proper administration of the election.

The President, any member of this Board, the District Superintendent, Director of Business Services and the District staff are hereby authorized to prepare and deliver or cause to be prepared and delivered to the County School Superintendent, on behalf of the District, the information necessary or appropriate to complete the Informational Pamphlet.

Section 5. Notice of Election. The District or the County School Superintendent will cause notices of the special election (the "*Notice*") to be posted not less than 25 days before the election as required by law. The Notice is ordered to be given as provided by law. The Notice will be in substantially the form attached hereto, which is marked Exhibit C and incorporated by reference herein.

Section 6. Early Voting. Early voting will be permitted at said election in accordance with the provisions of A.R.S. Title 16, Chapter 4, Article 8.

Section 7. Submission of Ballot. The District Superintendent or Director of Business Services is hereby directed to cause, at least 85 days before the election, the draft ballot to be submitted to the Arizona legislative council for review and approval and shall be guided by said council's ruling.

Section 8. Precincts and Polling Places. The election may be conducted as a polling place election. For purposes of a polling place election which may be held in conjunction with any county, city or special district election of any overlapping jurisdiction, the Board determines that the County election precincts will serve as the District election precincts, including any consolidation of such precincts as determined by the County Elections Department and the District's Superintendent or designee. The location of each polling place will be determined by the County

Elections Department, which will conduct the election on behalf of the District. The polls will open at 6:00 a.m. and will close at 7:00 p.m. on November 4, 2014.

Section 9. **Expenditure.** The Board authorizes all expenditures as may be necessary to order, notice, hold and administer the special override election, which expenditures shall be paid from current operating funds.

Section 10. **Voting Rights Act.** In order to comply with the Voting Rights Act of 1965, as amended, the following proceedings pertaining to this election will be translated into Spanish, to-wit: ballot, notice, call of election and request for "for" and "against" arguments, Informational Pamphlet, all voting materials and all voting instructions. The officers of the District and the County are further authorized and directed to take all action necessary to comply with the Voting Rights Act of 1965, as amended.

Section 11. **Canvass.** The County School Superintendent and the Chairman of the Board of Supervisors of the County are requested to and authorized to canvass the returns of the special override election within 30 days of the election, as required by law.

Section 12. **Other Actions.** The District Superintendent or the Director of Business Services is authorized to take all necessary action to facilitate the election.

Section 13. **Ratification.** All actions of the members of the Board, officers, employees and agents of the District 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 on June 23, 2014.

President, Governing Board

Exhibit A – Ballot
Exhibit B – Call of Election and Request for Arguments
Exhibit C – Notice of Election

EXHIBIT A

SAMPLE BALLOT – DISTRICT ADDITIONAL ASSISTANCE BUDGET OVERRIDE

SPECIAL ELECTION

Mingus Union High School District No. 4
Yavapai County, Arizona - November 4, 2014

QUESTION

Shall the Governing Board of Mingus Union High School District No. 4 of Yavapai County, Arizona, adopt a budget which includes an amount for capital purposes that exceeds the district additional assistance budget limit specified by statute in the amount of the lesser of \$590,000 dollars or ten percent of the District's revenue control limit per fiscal year for fiscal year 2015-2016 and the six fiscal years thereafter? As required by statute, the district additional assistance budget override amount is limited to 10% of the revenue control limit each year.

The amount of the proposed increase of the proposed budget over the alternate budget for fiscal year 2015-2016 is estimated to be \$590,000.

Any budget increase authorized by this election shall be entirely funded by a levy of taxes upon the taxable property within this school district for the year in which adopted and for six 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 assessed valuation used for secondary property tax purposes, to fund the proposed increase in the school district's budget would require an estimated tax rate of \$0.23 per one hundred dollars of assessed valuation used for secondary property tax purposes and is in addition to the school district's tax rate which will be levied to fund the school district's district additional assistance allowed by law.

The capital improvements that are proposed to be funded through this override election are to exceed the State standards and are in addition to monies provided by the State.

Mingus Union High School District is proposing to increase its budget by not more than the lesser of \$590,000 or ten percent (10%) of the District's revenue control limit to fund capital improvements over and above those funded by the State. Under the Students FIRST capital funding system, Mingus Union High School District is entitled to State monies for new construction and renovation of school buildings in accordance with State law.

BUDGET INCREASE, YES	<input type="checkbox"/>
BUDGET INCREASE, NO	<input type="checkbox"/>

[At the discretion of the County elections department, the question set forth above may be presented on the actual ballot in summary form, reading substantially as follows:]

A "yes" vote shall authorize the Mingus Union High School District No. 4 of Yavapai County, Arizona Governing Board to adopt a budget which includes an amount for capital purposes that exceeds its district additional assistance budget limit by the lesser of \$590,000 or ten percent (10%) of the District's revenue control limit.

A "no" vote shall not authorize the Mingus Union High School District No. 4 of Yavapai County, Arizona Governing Board to adopt a budget which includes an amount for capital purposes that exceeds its district additional assistance budget limit.

EXHIBIT B

**CALL OF ELECTION AND REQUEST FOR ARGUMENTS
"FOR" OR "AGAINST" THE SPECIAL ELECTION
MINGUS UNION HIGH SCHOOL DISTRICT NO. 4**

Mingus Union High School District No. 4 of Yavapai County, Arizona (the "*District*"), will hold a special district additional assistance budget override election (formerly known as a capital outlay budget override election) on Tuesday, November 4, 2014. The District seeks authorization to exceed its district additional assistance budget limit by the lesser of \$590,000 or ten percent of its revenue control limit. The estimated first year tax rate for the proposed district additional assistance budget override is \$0.23 per \$100 of assessed valuation used for secondary property tax purposes. The Yavapai County School Superintendent will be preparing an informational pamphlet that will be mailed to households containing one or more registered electors within the District. Any persons wishing to submit an argument "for" or "against" the district additional assistance budget override question (not to exceed 200 words) may do so by mail or hand delivery of the argument to the Yavapai County School Superintendent's office, 2970 Centerpointe East Drive, Prescott, Arizona 86301; telephone: (928) 771-3326.

To be included in the informational pamphlet, such argument must be received in the office of the Yavapai County School Superintendent on or before 5:00 p.m., August 8, 2014. Such argument must be signed and include the name of the District, the author's name, the name of any entity submitting an argument, address and telephone number. The entity and author's name will be printed in the informational pamphlet. The last day to register to vote in order to be eligible to vote in this election is Monday, October 6, 2014. For more information concerning the election, please contact Mingus Union High School District No. 4 of Yavapai County, Arizona, 1801 E. Fir Street, Cottonwood, Arizona 86326, telephone: (928) 634-8901.

EXHIBIT C

NOTICE OF SPECIAL ELECTION

TO THE QUALIFIED ELECTORS OF MINGUS UNION HIGH SCHOOL DISTRICT NO. 4 OF YAVAPAI COUNTY, ARIZONA:

A special election will be held in Mingus Union High School District No. 4 of Yavapai County, Arizona, on November 4, 2014, at the following polling places:

<u>Precinct</u>	<u>Polling Place</u>
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The polls will open at 6:00 a.m. and close at 7:00 p.m. The purpose of the election is to permit the qualified electors of the District to vote on authorizing the District to exceed its district additional assistance budget limit for a period of not to exceed seven (7) years, in an amount not to exceed the lesser of \$590,000 or ten percent (10%) of the District's revenue control limit per year. To fund the increase in the District's budget would require an estimated tax rate of \$0.23 per \$100 of assessed valuation used for secondary property tax purposes. In future years the amount of the increase will be as provided by law.

Any qualified elector is eligible for early voting. Early voting materials may be obtained by contacting the Yavapai County Elections Department 1015 Fair Street, Prescott, AZ 86305, (928) 771-3248.

For more information about the foregoing, please review A.R.S. § 15-481 or contact the Director of Business Services, Mingus Union High School District No. 4 of Yavapai County, Arizona at (928) 634-2288.