

**RESOLUTION NO. 2019-1133**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, ORDERING AND CALLING AN ELECTION TO BE HELD IN AND FOR THE TOWN OF CHINO VALLEY, ARIZONA ON MAY 21, 2019, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF THE QUESTIONS OF (1) THE PROPOSED AMOUNT TO BE RAISED BY AN INITIAL PRIMARY (AD VALOREM) PROPERTY TAX TO FUND A ROAD CONSTRUCTION AND MAINTENANCE PROGRAM, AND (2) VOTER AUTHORIZATION FOR PURCHASE OF CERTAIN WATER COMPANIES TO EXPAND THE TOWN'S WATER UTILITY SYSTEM**

**WHEREAS**, the Town Council has determined that in order to properly fund its needed road projects the Town should levy primary (ad valorem) property taxes in the next and each succeeding tax year; and

**WHEREAS**, pursuant to ARIZ. REV. STAT. § Section 42-17056, as amended, the Town Council must submit the proposed amount to be raised by the initial primary (ad valorem) property taxes for approval of the qualified electors of the Town; and

**WHEREAS**, the Town desires to consider acquisition of certain water companies in Chino Valley in order to expand the Town's water utility system for the benefit of its customers.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CHINO VALLEY** as follows:

SECTION 1. Pursuant to ARIZ. REV. STAT. §§ 42-17056, 35-453, 35-454, and 9-514, as amended, an election in the Town is hereby ordered and called to be held on May 21, 2019, at which time there shall be submitted to the qualified electors of the Town the following measures as set forth in the form of ballot attached hereto, marked Exhibit A and hereby made a part of this resolution:

1. QUESTION NO. 1: Shall the Town of Chino Valley, Arizona be authorized to levy an initial property (ad valorem) tax in the amount of \$1,500,000 for the purpose of construction and maintenance of the Town's public road system and acquisition of land or interests necessary for such purposes, with no subsequent annual levies for property (ad valorem) taxes after fiscal year 2038? If such amount is approved, it shall be the base for determining levy limitations for the Town for subsequent fiscal years.
  
2. QUESTION NO. 2: Shall the Town of Chino Valley, Arizona be authorized to purchase the following water systems: Wilhoit Water Company (Acme Water Company), Appaloosa Water Company, Chino Meadows II Water Company, City of Prescott Water system located within Chino Valley Town limits, and any other water system located within five miles of the Town of Chino Valley corporate boundaries?

SECTION 2. The officers of the Town are hereby authorized to do all things necessary or appropriate to conduct the election, including the preparation and distribution of an informational pamphlet. The Town Clerk is hereby authorized and directed to cause the informational pamphlet

informational pamphlet to be prepared and mailed as required by law and in accordance with the provisions of this resolution and to cause a copy of the informational pamphlet to be submitted to the Arizona Department of Revenue within thirty (30) days after the election.

SECTION 3. The deadline for the public to submit arguments for the informational pamphlet shall be February 20, 2019. Voter Information Pamphlet Argument Submittal Guidelines as set forth in the form are attached hereto, marked Exhibit B.

SECTION 4. Notice of the special election is ordered to be given by causing the informational pamphlet to be mailed not less than thirty-five (35) days before the date of election to the residences in which a registered voter of the Town resides as shown on the general county register.

SECTION 5. The election will be conducted as a vote-by-mail election, and the votes cast thereat shall be counted and tabulated and the returns thereof will be made in the manner provided by law and only persons will be allowed to vote at the election who are qualified electors of the Town. The ballot drop-off box located at Town Hall, 202 N. State Route 89, will remain open until 7:00 p.m. on election day, May 21, 2019.

SECTION 6. On-site voting will be available at the Yavapai County Administrative offices, 1015 Fair Street, Prescott, AZ, from April 24, 2019 to May 21, 2019.

SECTION 7. 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 and posted, published and recorded in each instance where posting, publication and recording of such proceedings are required, to-wit: ballot, voter informational pamphlet, all mail-ballot voting material and all instructions at the on-site voting location.

SECTION 8. The Town Clerk is hereby 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 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 Town by the Yavapai County Elections Department. The Mayor and the Town Clerk or either of them is authorized and directed to enter into a contract with the Yavapai County Recorder to obtain precinct registers for the election and to enter into an agreement with the Yavapai County Elections Department or any other qualified vendor to conduct the election for the Town.

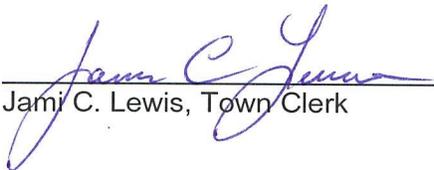
SECTION 9. As soon as the election has closed, the election officials will forward the votes cast to the Town Council for canvassing. The Town Council will meet at the Council Chambers on a day that is within twenty (20) days after the election date to canvass the returns of the election. The Town Council will be governed by the vote of the majority on the questions submitted.

[SIGNATURES ON FOLLOWING PAGE]

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Chino Valley, Arizona, on January 8, 2019.

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

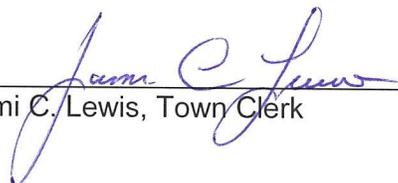
ATTEST:

  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Andrew J. McGuire, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 19-1133 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on January 8, 2019, and that quorum was present thereat and that the vote thereon was 7 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.

  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

**EXHIBIT A**

**OFFICIAL BALLOT**

**FOR SPECIAL ELECTION IN AND FOR THE TOWN OF CHINO VALLEY, ARIZONA ON MAY 21, 2019.**

**QUESTION NO. 1**

**PURPOSE: INITIAL PRIMARY (AD VALOREM) PROPERTY TAX LEVY**

Shall the Town of Chino Valley, Arizona be authorized to levy an initial property (ad valorem) tax in the amount of \$1,500,000 for the purpose of construction and maintenance of the Town's public road system and acquisition of land or interests necessary for such purposes, with no subsequent annual levies for property (ad valorem) taxes after fiscal year 2038? If such amount is approved, it shall be the base for determining levy limitations for the Town for subsequent fiscal years.

A "YES" vote will have the effect of allowing the Town of Chino Valley to levy an initial primary property tax not to exceed one million five hundred thousand dollars (\$1,500,000) to be used to fund construction and maintenance of the Town's public road system, including acquisition of property for such purpose, with no annual levies after fiscal year 2038.

A "NO" vote will have the effect of not allowing the Town of Chino Valley to levy an initial primary property tax to be used to fund construction and maintenance of the Town's public road system.

PRIMARY LEVY, YES

PRIMARY LEVY, NO

**QUESTION NO. 2**

**PURPOSE: PURCHASE OF WATER COMPANY**

Shall the Town of Chino Valley, Arizona be authorized to purchase the following water systems: Wilhoit Water Company (Acme Water Company), Appaloosa Water Company, Chino Meadows II Water Company, City of Prescott Water system located within Chino Valley Town limits, and any other water system located within five miles of the Town of Chino Valley corporate boundaries?

A "YES" vote will have the effect of allowing the Town of Chino Valley to purchase one or more of the aforementioned water utility companies/systems, as the Town deems necessary or advantageous.

A "YES" vote will have the effect of allowing the Town of Chino Valley to purchase one or more of the aforementioned water utility companies/systems, as the Town deems necessary or advantageous.

A "NO" vote will have the effect of not allowing the Town of Chino Valley to consider purchase of any of the named water companies/systems.

PURCHASE, YES	<input type="checkbox"/>
PURCHASE, NO	<input type="checkbox"/>

**EXHIBIT B**

**GUIDELINES FOR PROPOSITION ARGUMENT SUBMITTAL**



**CHINO VALLEY TOWN CLERK**

**Jami C. Lewis**

202 N. State Route 89

Chino Valley, AZ 86323

Phone (928) 636-2646, ext. 1208

Fax (928) 636-2144

**PAMPHLET  
ARGUMENTS**

**VOTER INFORMATION PAMPHLET  
ARGUMENT SUBMITTAL GUIDELINES**

- Arguments supporting and opposing propositions appearing on the ballot shall be filed with the office of the Town Clerk by 5:00 p.m. on Wednesday, February 20, 2019.
- Arguments must relate to the proposition that will appear on the ballot.
- Arguments must identify the proposition to which they refer and indicate whether the argument is in support of or opposition to the proposition.
- Arguments must contain an original sworn statement and *notarized* signature of each person sponsoring it. Arguments submitted by organizations shall be signed by two executive officers of the organization, or if a political committee sponsors the argument, it must be signed by the committee's chairman or treasurer. All persons signing the argument shall indicate their residence or post office address and a telephone number, which information shall *not* appear in the publicity pamphlet.
- A fee of \$80.00 shall accompany the argument upon submittal to offset a portion of the cost for printing the argument. Submitters may pay this fee electronically by phone at (928) 636-2646, ext. 1052, in addition to payment with cash or check.
- Arguments are limited to 300 words in length.
- No person or organization shall submit more than one argument for each proposition to be voted upon.
- Arguments must be submitted electronically (on disk or by email) in addition to the hard copy with signatures as described above.
- Arguments will be printed *exactly* as submitted (typographical errors included). Proofread your text carefully!