

RESOLUTION R14-03-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE TO PROCESS THE PRIMARY ELECTION OF AUGUST 26, 2014 FOR COUNCIL SEAT POSITIONS AND OFFERING THE QUESTION OF PERMANENT BASE ADJUSTMENT TO THE VOTERS OF THE CITY OF EL MIRAGE

WHEREAS, the Mayor and City Council of the City of El Mirage approved, through Resolution R14-02-04, a Call of Election at a regularly scheduled Council Meeting held February 4, 2014 calling for a Primary and General Election, designating the election dates and purpose of elections, designating the deadline for voter registration, designating the election format, and designating the place and first and last date for candidates to file nomination papers, and

WHEREAS, the Mayor and City Council of the City of El Mirage approved, at a regularly scheduled Council Meeting held February 4, 2014 through Resolution R14-02-05, to propose a permanent adjustment to the 1979-80 base expenditure limitation of the City of El Mirage be presented to the voters of the City of El Mirage at the August 26, 2014 Primary Election;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of El Mirage, Arizona;

Section 1. That the official ballot for the Primary Election (hereinafter referred to as the "Official Ballot") shall be in substantially the form attached hereto as Exhibit "A."

Section 2. (A) That notice of the Election shall be given by mailing an informational pamphlet (hereinafter referred to as the "Informational Pamphlet") that includes a sample of the Official Ballot in substantially the form attached hereto as Exhibit "B," as revised and hereinafter described, to each household within the City where a registered voter resides.

(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 the City Clerk deems acceptable. The Clerk of the City is hereby authorized and directed to submit, within thirty (30) days after the date of the Election, a copy of the Informational Pamphlet to the Arizona Department of Revenue.

(C) That the Clerk of the City is hereby authorized to request arguments for and against the subject matter of the Election, Permanent Base Adjustment, by providing the notice in the form and by means provided in the form attached hereto and marked Exhibit "C" (hereinafter referred to as the "Request for Arguments").

Section 3. That the Clerk of the City is hereby authorized and directed to issue replacement ballots and to establish an authorized ballot return site for the City of El Mirage's August 26, 2014 Primary Election (and General Election if required).

Section 4. 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, and Official Ballot.

Section 5. (A) That the Election shall be held, conducted and canvassed in conformity with the provisions of the regular 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 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 City by the Election Department of the County and the Clerk of the City. The Clerk of the City is authorized and directed to enter into a contract with the County Recorder of Maricopa County, Arizona (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.

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

(D) That the Clerk of the City is hereby authorized to take all necessary action to facilitate the Election pursuant to A.R.S. §9-821.

Section 6. (A) That the official returns from the Election shall be provided to the Mayor and Council of the City within twenty (20) days from the date of 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 votes cast and the total number of votes for and against permanently adjusting the 1979-80 base expenditure limitation of the City of El Mirage and stating whether or not the permanent base adjustment is ordered.

PASSED and adopted by the Mayor and Council of the City of El Mirage, Arizona, this 18th day of March, 2014.



Mayor Lana Mook

ATTEST:



Sharon Antes, City Clerk

APPROVED AS TO FORM:



Robert M. Hall, City Attorney

EXHIBIT "A"

FORM OF PROPOSITION 468 TO APPEAR ON BALLOT

PROPOSITION 468

Shall the expenditure base of the City of El Mirage, Arizona be permanently adjusted by \$4,100,000?

A "YES" vote shall have the effect of allowing the City to adjust its base expenditure limit to maintain existing and planned City services and programs. Adjustment of the base expenditure limit does not authorize or impose a tax increase.

A "NO" vote shall have the effect of not allowing the City to adjust its base expenditure limit, requiring expenditures of the City to be limited by the state-imposed expenditure limits of FY 1979/80 (July 1, 1979 – June 30, 1980) and may result in cuts to existing services and programs, and could result in cuts to planned future services and programs.

YES
NO

EXHIBIT "B"



**CITY OF EL MIRAGE
PUBLICITY PAMPHLET**

Proposal to be submitted to the qualified electors
of the City of El Mirage
at the

**PRIMARY ELECTION
August 26, 2014**

Compiled and Issued by
City of El Mirage
Sharon Antes, City Clerk

**CIUDAD DE EL MIRAGE
FOLLETO DE PUBLICIDAD**

Propuesta que se les presentara a los electores capacitados
De la Ciudad de El Mirage
En la

**ELECCION PRIMARIO
26 AGOSTO DE 2014**

Complado y Publicado pr la
Ciudad de El Mirage
Sharon Antes, Secretario Municipal

(La version en Espanol empieza en la pagina ____)

TO THE VOTERS OF THE CITY OF EL MIRAGE

The purpose of this publicity pamphlet is to provide you with information on the City of El Mirage ballot question that will appear on the August 26, 2014 Primary Election ballot. The complete text of the ballot question and ballot format, including any arguments for or against the ballot question, are included in this pamphlet. Preparation of this pamphlet is required by State law.

In compliance with the Federal Voting Rights Act, this Publicity Pamphlet has been prepared in both English and Spanish.

I urge you to carefully read the proposal and sample ballot and the effect a "Yes" or "No" vote will have so that you will be prepared to fully exercise your right to vote on August 26, 2014.

Sincerely,
Sharon Antes
City Clerk
City of El Mirage

RESOLUTION R14-02-05

A RESOLUTION PROPOSING A PERMANENT ADJUSTMENT TO THE 1979-80 BASE EXPENDITURE LIMITATION OF THE CITY OF EL MIRAGE, ARIZONA

WHEREAS, the Arizona State Constitution permits the submission to the voters of a city or town of a permanent adjustment to the base expenditure limitation; and

WHEREAS, the City Council of El Mirage, Arizona has determined that a permanent base adjustment is necessary for the City of El Mirage, Arizona

NOW, THEREFORE, BE IT RESOLVED by the City Council of El Mirage, Arizona that the following permanent base adjustment be submitted to the voters of the City of El Mirage, Arizona at the August 26, 2014 Primary Election:

SHALL THE EXPENDITURE BASE OF THE CITY OF EL MIRAGE, ARIZONA BE PERMANENTLY INCREASED BY \$4,100,000?

PASSED and adopted by the City Council of El Mirage, Arizona, this 4TH day of February, 2014.

/s/ Lana Mook, Mayor
ATTEST: /s/ Sharon Antes, City Clerk
APPROVED AS TO FORM: /s/ Richard M. Hall, City Attorney

**PERMANENT BASE ADJUSTMENT
SUMMARY ANALYSIS**

Pursuant to the Arizona State Constitution, the City of El Mirage seeks voter approval to permanently adjust the expenditure base of the City of El Mirage as determined by the Economic Estimates Commission. If approved by the voters, the City's 1979-80 base expenditure will be increased by \$4,100,000, adjusted each future year for population and inflation growth since FY1979/80 (July 1, 1979 – June 30, 1980).

With voter approval, the City's expenditure limitation will increase by \$4,100,000 in FY 2015/16 (July 1, 2015 – June 30, 2016) from \$_____ to \$_____. The City will utilize the additional expenditure authority for all local budgetary purposes including public safety, courts, parks, recreation, water, sewer, sanitation, general government, planning, building engineering, streets and economic development. The dollar figures in this statement are estimates only.

If approved, the additional expenditures authorized will be funded from revenue obtained from federal, state and local sources.

FULL TEXT OF PROPOSITION 468

PROPOSITION 468

Proposal submitted by the City Council of El Mirage

OFFICIAL TITLE: A resolution proposing a permanent adjustment to the 1979-80 base expenditure limitation of the City of El Mirage.

DESCRIPTIVE TITLE: Pursuant to the Arizona State Constitution, the City of El Mirage seeks voter approval to permanently adjust the expenditure base of the City of El Mirage as determined by the Economic Estimates Commission. The City seeks an adjustment of \$4,100,000.

A "YES" vote shall have the effect of allowing the City to adjust its base expenditure limit to maintain existing and planned City services and programs. Adjustment of the base expenditure limit does not authorize or impose a tax increase.

A "NO" vote shall have the effect of not allowing the City to adjust its base expenditure limit, requiring expenditures of the City to be limited by the state-imposed expenditure limits of FY 1979/80 (July 1, 1979 – June 30, 1980) and may result in cuts to existing services and programs and could result in cuts to planned future services and programs.

**YES
NO**

FORM OF PROPOSITION 468 TO APPEAR ON BALLOT

PROPOSITION 468

Shall the expenditure base of the City of El Mirage, Arizona be permanently adjusted by \$4,100,000?

A "YES" vote shall have the effect of allowing the City to adjust its base expenditure limit to maintain existing and planned City services and programs. Adjustment of the base expenditure limit does not authorize or impose a tax increase.

A "NO" vote shall have the effect of not allowing the City to adjust its base expenditure limit, requiring expenditures of the City to be limited by the state-imposed expenditure limits of FY 1979/80 (July 1, 1979/80 – June 30, 1980) and may result in cuts to existing services and programs and could result in cuts to planned future services and programs.

YES
NO

IMPORTANT VOTING INFORMATION

The 2014 Primary Election for the City of El Mirage will be an **All-Mail election**. Qualified voters will not be required to initiate a request for a ballot. Maricopa County Elections Department will use the active voter registration list to generate an election mailer packet and every registered voter in the City of El Mirage will automatically receive a ballot in the mail in advance of the election.

Voters who do not know if they are qualified to vote in the 2014 Primary Election should contact the Maricopa County Recorder's Office at 602-506-1411 (TDD 602-506-2348) or visit the Maricopa County Recorder Elections website at www.recorder.maricopa.gov. Registered voters who need to update their voter registration information including a change of address, a name change, etc., should do so at www.servicearizona.com.

IMPORTANT DATES

DATE OF ELECTION:
 Last day to register to vote: **Tuesday, August 26, 2014**
 First day ballots to be mailed: **Monday, July 28, 2014**
 Last day to return ballot: **Thursday, July 31, 2014**
Tuesday, August 26, 2014

REPLACEMENT BALLOTS are available at:

Maricopa County Recorder's Offices: 111 S. 3rd Avenue, Phoenix
 510 S 3rd Avenue, Phoenix
 222 Javelina Drive, Mesa

El Mirage City Clerk's Office: 12145 NW Grand Avenue, El Mirage

Replacement ballots will be available at the above locations from Monday, August 4, 2014 through Friday, August 22, 2014 from 8:00 a.m. – 5:00 p.m. and on Election Day, August 26, 2014 from 6:00 a.m. – 7:00 p.m.

The last day to return a ballot mailed to you is Election Day, August 26, 2014. In order to be valid and counted, the ballot and affidavit must be received by the Maricopa County Tabulation and Elections Center by 7:00 p.m. on Election Day, Tuesday, August 26, 2014. You may also deposit your ballot at designated replacement ballot locations (sites available at <http://recorder.maricopa.gov/elections/ev/locations.aspx>). Replacement ballots may also be deposited at the El Mirage City Clerk's Office, 12145 NW Grand Avenue, between the hours of 6:00 a.m. to 7:00 p.m. on Election Day.

ARGUMENTS FOR PROPOSITION 468

ARGUMENTS AGAINST PROPOSITION 468

VOTER INFORMATION

Qualifications for Voting:

ARIZON REVISSED STATUTES

A.R.S. 16-121. Qualified elector, definition

A. A person who is qualified to register to vote pursuant to section 16-101 and who is properly registered to vote shall, if he is at least eighteen years of age on or before the date of the election, be deemed a qualified elector for any purpose for which such qualification is required by law, except as provided in section 16-126. A person continues to be a qualified elector until that person's registration is canceled pursuant to section 16-165 or until that person does not qualify as a resident as prescribed by section 16-101, subsection B.

d. For purposes of subsection A of this section, a person who does not reside at a fixed, permanent or private structure shall be properly registered to vote if that person is qualified pursuant to section 16-101 and if that person's registration address is any of the following places located in this state:

1. A homeless shelter to which the registrant regularly returns.
2. The place at which the registrant is a resident.
3. The county courthouse in the county in which the registrant resides.
4. A general delivery address for a post office covering the location where the registrant is a resident.

C. A person who is otherwise qualified to register to vote shall not be refused registration or declared not qualified to vote because the person does not live in a permanent, private or fixed structure.

D. As used in this section "homeless shelter" means a supervised publicly or privately operated shelter designed to provide temporary living accommodations to individuals who lack a fixed, regular and adequate nighttime residence.

Voter Registration ID:

Satisfactory evidence of United States citizenship includes one of the following:

- An Arizona driver's license number (or copy of the license) or non-operating identification license number (or copy of the identification license), issued after 10/01/1996
- A driver's license or non-operating identification license from another state that identifies United States citizenship
- A legible photocopy of a birth certificate with the name of the applicant that verifies United States citizenship
- A legible photocopy of the pertinent pages of the United States passport
- United States naturalization certificate number or the presentation of the original certificate of naturalization (If only the number is provided, the County Recorder must verify the number with INS prior to adding the applicant to the voter rolls.)

- Bureau of Indian Affairs card number, Tribal Treaty card number or Tribal enrollment number
- A name shall not be added to the voter registration file until one of the above requirements is satisfied.

For Additional Information:

Call the City Clerk's Office at 623-876-2943 or visit the City website: www.cityofelmirage.org under Departments/City Clerk's Office/ Election Information. Also, visit the Maricopa County Elections Department website: www.recorder.maricopa.gov.

Thank you,
Sharon Antes
City Clerk

City of El Mirage
12145 NW Grand Avenue
El Mirage, AZ 85335

PRSR STD
U.S.
Postage
PAID
Phoenix, AZ

“OFFICIAL ELECTION MAIL”

OFFICIAL VOTING MATERIALS – only one pamphlet has been mailed to each household where a registered voter resides. Please make the pamphlet available to all registered voters in the household.
MATERIALES OFICIALES ELECTORALES – (Spanish translation of above)

EXHIBIT "C"

REQUEST FOR ARGUMENTS "FOR" AND "AGAINST" THE QUESTION OF WHETHER TO PERMANENTLY ADJUST THE EXPENDITURE BASE BY \$4,100,000 FOR THE CITY OF EL MIRAGE

Pursuant to Resolutions R14-02-04 and Resolution R14-02-15 adopted by the Mayor and Council of the City of El Mirage, Arizona, (the "City"), on February 4, 2014 (the "Resolution"), a Primary Election was ordered and called to be held on August 26, 2014 (the "Election"). Notice of the Election will be given by mailing an informational pamphlet. Such information is to include arguments for and against the question of permanently adjusting the expenditure base by \$4,100,000 for the City of El Mirage to be considered at the Election. (The text of the question to be considered at the Election is included in Resolution R14-03-09 which is available at the Office of the Clerk of the City at 12145 NW Grand Avenue, El Mirage, Arizona 85335). Any person interested in providing any such argument (300 words or less) is hereby requested to provide the same to the Clerk of the City at the address indicated above before 5:00 p.m. Arizona time on Friday, May 23, 2014, along with a fee of \$75.00 to cover the cost of including the argument with translation in the pamphlet. Arguments filed for inclusion in the publicity pamphlet must include a notarized signature of each person sponsoring the argument. For organizations submitting arguments, the notarized signatures of two executive officers are required; for political committees submitting arguments, the notarized signature of the committee's chairman or treasurer must be included. If you have any questions about the foregoing, please contact the Clerk of the City at (623-876-2943).

/s/Sharon Antes

City Clerk, City of El Mirage, Arizona