

ADOPTED BY THE  
MAYOR AND COUNCIL

June 19, 2018

ORDINANCE NO. 11567

AN ORDINANCE ORDERING AND CALLING A BOND SPECIAL ELECTION TO BE HELD IN AND FOR THE CITY OF TUCSON, ARIZONA, ON NOVEMBER 6, 2018, TO SUBMIT TO THE QUALIFIED ELECTORS THEREOF A QUESTION ON AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OF THE CITY IN THE AMOUNT OF \$225,000,000 TO PROVIDE FUNDS FOR CAPITAL PROJECTS FOR PARKS AND RECREATION, INCLUDING CAPITAL IMPROVEMENTS TO EXISTING PARKS; ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF NEW PARKS; ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND EQUIPPING OF NEW AND EXISTING CONNECTIVITY COMPONENTS BETWEEN AND WITHIN PARKS, INCLUDING GREENWAYS, BIKEPATHS, SIDEWALKS, AND WALKWAYS; AND PAYMENT OF ALL NECESSARY COSTS AND FEES IN CONNECTION THEREWITH; PROVIDING FOR AND GIVING NOTICE OF THE BOND SPECIAL ELECTION; SPECIFYING THE BALLOT LANGUAGE FOR THE BOND PROPOSAL TO BE VOTED ON; SETTING A DEADLINE OF AUGUST 8, 2018 TO SUBMIT ARGUMENTS FOR AND AGAINST THE BOND PROPOSAL TO THE CITY CLERK; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Council of the City of Tucson, Arizona (the "City"), believe it is in the best interests of the City that general obligation bonds of the City be authorized to be issued and sold in the aggregate principal amount of \$225,000,000 to provide funds for capital projects for parks and recreation, to wit: capital improvements to, and equipping of, existing parks; acquisition, construction, improvement, and equipping of new parks; acquisition, construction, improvement, and equipping of new and existing connectivity components between and within parks, including greenways, bikepaths, sidewalks, and walkways; and payment of all necessary costs and fees in connection therewith; and

WHEREAS, it is necessary that the Mayor and Council submit the questions relating to the issuance and sale of such general obligation bonds to the qualified electors of the City,

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

SECTION 1. A bond special election is hereby ordered and called to be held on November 6, 2018, to submit to the qualified electors of the City the question set forth in the form of Notice of Bond Special Election, which shall be in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. Notice of the order and call of the bond special election will be given by: (1) publishing this Ordinance, including the Notice of Bond Special Election, at least once in the official newspaper of the City, and at least once in a newspaper published in Pima County and of general circulation within the City not less than fifteen (15) nor more than thirty (30) days prior to the date of the election; (2) by posting a copy of the Notice of Bond Special Election at each polling place; and (3) pursuant to A.R.S. § 35-454(A)(1), by mailing to the residence of each registered voter in the City not less than thirty-five (35) days before the bond election an informational pamphlet containing the information required by law, specifically including that required by A.R.S. § 35-454(A)(1). In compliance with the Voting Rights Act of 1965, as amended, these materials will be translated into Spanish and posted, published and recorded in each instance where posting, publication and recording of such proceedings are required.

SECTION 3. Pursuant to A.R.S. § 35-454(A)(2), the deadline to submit arguments for and against the bond proposal to the City Clerk is August 8, 2018.

SECTION. 4. The bond question as set forth in Exhibit A shall be submitted to voters as part of the Pima County consolidated election on November 6, 2018, and conducted by Pima County in the manner provided by law. Only persons who are qualified electors of the City shall vote at the bond special election.

SECTION 5. The election returns shall be made to and canvassed by the Mayor and Council as provided by law, and in compliance with the requirement in A.R.S. § 35-454 that Mayor and Council hold a special meeting within twenty (20) days after the election to canvass the returns and certify the results of the bond special election. The Mayor and Council will be governed by the vote of the majority as to each question submitted.

SECTION 6. Pursuant to the provisions of A.R.S. § 35-455(B), the aggregate amount of the bonds, the maximum rate of interest to be paid thereon, the minimum and maximum number of years bonds of any issue or series may run from their date, and the purposes for which the money derived from the sale of the bond will be expended shall be as described in the attached Exhibit A, incorporated herein by this reference. The current outstanding general obligation debt of the City is \$200,270,000. The constitutional debt limitation of the City is \$ 510,587,301. Exhibit B to this Ordinance, attached and incorporated herein by this reference, describes the Proposed 2018 Parks and Connectivity GO Bond Program Project List for the general obligation bonds, which will also be published in the City's Choice is Yours publicity pamphlet mailed to voters.

SECTION 7. Mayor and Council shall establish, by separate resolution, the 2018 bond oversight commission to ensure that the purposes for which the bonds are approved by voters will be the purposes for which those bonds shall be expended.

SECTION 8. The various City officers and employees are authorized, empowered and directed to take all actions necessary or desirable to give effect to this Ordinance.

SECTION 9. If any provision of this Ordinance or the application thereof to any person or circumstance is determined to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are severable.

SECTION 10. It is necessary for the preservation of the peace, health and safety of the City of Tucson that this Ordinance become immediately effective. Accordingly, an emergency is hereby declared to exist and this Ordinance shall be effective immediately upon its passage and adoption.


PASSED, ADOPTED AND APPROVED BY THE Mayor and Council of the City of Tucson, Arizona on June 19, 2018.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:


  
\_\_\_\_\_  
CITY ATTORNEY

REVIEWED BY:

\_\_\_\_\_  
CITY MANAGER

APPROVED AS TO FORM:

\_\_\_\_\_  
BOND COUNSEL

  
MR/DPM/dg  
6/18/18