

CERTIFICATE

The undersigned is the duly appointed and qualified President of the Governing Board of Eloy Elementary School District No. 11 of Pinal County, Arizona, and hereby certifies that attached hereto is a true and correct copy of: (i) the agenda (in the form posted on the District's website) for the meeting of the Governing Board held on May 15, 2023 (the "Meeting"), and that said agenda was on file in the administration office and posted in the usual place of posting notices for the District, including the District's website for not less than twenty-four (24) hours prior to the call to order of the Meeting; and (ii) a resolution of said Board adopted at such Meeting; and further certifies that the resolution was passed and adopted by the Governing Board on May 15, 2023; that a quorum was present at such Meeting and at the time the resolution was adopted; that said resolution was adopted by a vote of 3 ayes, 0 nays, 0 abstained and 0 was/were absent; that said resolution has been executed by the proper officer(s) of the District; and said resolution, as executed, is on file in the District administration office and further certifies that the District's website also states where public notices and agendas are physically and electronically posted.

Dated: May 15, 2023



President, Governing Board

RESOLUTION

RESOLUTION ORDERING AND CALLING A SPECIAL MAINTENANCE AND OPERATION BUDGET OVERRIDE ELECTION TO BE HELD IN AND FOR ELOY ELEMENTARY SCHOOL DISTRICT NO. 11 OF PINAL COUNTY, ARIZONA, ON NOVEMBER 7, 2023; 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 AND THE CANVASSING OF THE ELECTION; AND APPROVING THE GOVERNING BOARD’S ARGUMENT IN SUPPORT OF THE ELECTION.

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 15-481, as amended, provides that if the proposed budget of Eloy Elementary School District No. 11 of Pinal County, Arizona (the “*District*”), will exceed the aggregate budget limit for the budget year, the Governing Board of the District (the “*Board*”) shall order an override election to be held not less than 150 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, pursuant to prior voter approval of a 15% increase in the District’s revenue control limit, the District has operated pursuant to such budget override authority and now desires to seek a continuation of such override authority; and

WHEREAS, the existing 15% budget authorization will be reduced by one-third as required by State law in fiscal year 2024/2025 and another one-third in fiscal year 2025/2026, and terminate thereafter, unless such authorization is renewed by the voters in the District; and

WHEREAS, the Board deems it necessary and in the best interests of the District to order and call a special election to submit to the voters the question of authorizing the District, for a period of seven years, to continue to exceed its applicable revenue control limit by 15% for the first five years, 10.00% for the sixth year and 5.00% for the seventh year; such special election to be held in and for the District on November 7, 2023, pursuant to the provisions of A.R.S. § 15-481;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ELOY ELEMENTARY SCHOOL DISTRICT NO. 11 OF PINAL COUNTY, ARIZONA, THAT:

Section 1. Order and Call of Election. A special override election (the “*Election*”) is hereby ordered and called to be held in and for this District on November 7, 2023, in the manner prescribed in A.R.S. § 15-481, to submit to the qualified electors of the District the question shown on the form of official ballot, in substantially the form attached hereto as *Exhibit A* and incorporated by reference herein. The District Superintendent is authorized and directed to complete the budget estimate and insert the appropriate dollar amount and tax rate in the ballot and take such actions as are necessary to assist the Pinal County School Superintendent (the “*County School Superintendent*”) and the Pinal County Elections Department (the “*County Elections Department*”) in performing their duties with respect to the Election.

Section 2. Request to County School Superintendent; Informational Pamphlet. The County School Superintendent is hereby requested to cause the preparation and distribution of an informational pamphlet including a sample ballot (collectively, the “*Informational Pamphlet*”) for the District pursuant to A.R.S. § 15-481. The District Superintendent is hereby directed to mail, or to aid the County School Superintendent’s mailing, to each household in the District in which a qualified elector resides, an Informational Pamphlet.

The President, any member of this Board, the District Superintendent 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 Board, the information necessary or appropriate to complete the Informational Pamphlet.

Section 3. Conduct of Election; Contracts; Expenditures. The Election may be conducted as a mailed ballot election as provided in A.R.S. § 16-409 or a polling place election, as determined by the District Superintendent or the County Elections Department. The Board is hereby authorized to request the County School Superintendent and 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 Election as provided by law. The Board authorizes all expenditures as may be necessary to order, notice, hold and administer the Election, including but not limited to the cost of the return postage to return the voted mail ballots if the Election is conducted as a mailed ballot election to the officer in charge of the Election, which expenditures shall be paid from current operating funds. The District Superintendent is authorized and directed to take all acts, including entering into intergovernmental agreements with the Pinal County Recorder (the “*County Recorder*”), the County Elections Department or the County School Superintendent, to carry out the Election. The District Superintendent shall cooperate with the County School Superintendent to ensure proper administration of the Election.

Section 4. Notice of Election.

(A) **Posting of Notice.** The District or the County School Superintendent will cause the notice of the Election (the “*Notice*”) in substantially the form attached hereto as set forth in Exhibit B-1 or Exhibit B-2, as applicable, to be posted not less than 25 days before the Election as required by law.

(B) **Publication of Notice for Mailed Ballot Election.** For a mailed ballot election, the Notice, including the call of Election, which is marked Exhibit B-1, shall be published once a week for two successive weeks during any two of the six weeks preceding 150 days before the Election.

Section 5. Public Declaration: Submission of Arguments. The Board publicly declares that: Pursuant to A.R.S. § 15-481, the County School Superintendent has established August 11, 2023 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 11, 2023. As required by statute, the District shall immediately post the August 11, 2023 deadline for submitting arguments in a prominent location on the District’s website. A form of the notice requesting arguments “for” or “against”, including the deadline for submitting arguments, is attached hereto as Exhibit C. The District Superintendent 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.

Section 6. Ballot Replacement Location. The District Superintendent shall coordinate with the County School Superintendent and County Elections Department to designate a location for purposes of replacing ballots that have been lost, spoiled, destroyed or not received by the elector.

Section 7. Precincts and Polling Places. 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 7, 2023.

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

Section 9. **Voting Rights Act.** In order to comply with the Voting Rights Act of 1965, as amended, the District, either directly or through the County, shall cause all notices related to this election to be translated into the Apache language and to be distributed orally via radio and other appropriate means of dissemination. The District, either directly or through the County, shall also provide oral assistance to Apache speakers in the Apache language with respect to the following proceedings of the Election: ballot, notice, 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. The District shall also provide translations in the Spanish language of the same written materials relating to the Election.

Section 10. **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 Election within 30 days of the Election, as required by law.

Section 11. **Other Actions.** The District Superintendent is authorized to take all necessary action to facilitate the Election.

Section 12. **Cancellation.** The Election called hereunder may be cancelled by acts of the Board in accordance with the provisions of A.R.S. § 15-481.

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.

Section 14. **Transmission of Resolution.** A certified copy of this Resolution shall be delivered to the County School Superintendent and the County Elections Director.

Section 15. **Approval of Board Argument.** The form of the Board’s “for” argument in support of the proposed increase in the budget attached hereto as Exhibit D is hereby approved.

[Signature on following page]

PASSED AND ADOPTED on May 15, 2023.



President, Governing Board

EXHIBITS A – Sample Ballot
 B-1 – Notice and Call of Special Election (Mailed Ballot Election)
 B-2 – Notice of Special Election (Polling Place Election)
 C – Request for Arguments
 D – Board’s “For” Argument

[Signature page to Resolution Calling M&O Election]

EXHIBIT A
SAMPLE BALLOT

15% MAINTENANCE AND OPERATION BUDGET OVERRIDE

SPECIAL ELECTION

Eloy Elementary School District No. 11
Pinal County, Arizona - November 7, 2023

QUESTION NO. _

Shall the Governing Board of Eloy Elementary School District No. 11 of Pinal County, Arizona (the “District”), adopt a General Maintenance and Operation Budget that includes an amount that exceeds the revenue control limit specified by statute by 15% for fiscal year 2024/2025 and for six subsequent years as described below? The fiscal year 2024/2025 budget override authority represents an extension of the existing budget override authority which is scheduled to phase down by one-third for fiscal year 2024/2025, by another one-third for fiscal year 2025/2026, and terminated for fiscal year 2026/2027 if the voters do not approve the override.

The amount of the proposed continuation of the budget increase of the proposed budget over the alternate budget for fiscal year 2024/2025 is estimated to be \$261,381. In fiscal years 2024/2025 through 2028/2029 the amount of the proposed increase will be 15% of the District’s revenue control limit in each of such years, as provided in Section 15-481(P) of the Arizona Revised Statutes. In fiscal years 2029/2030 and 2030/2031, the amount of the proposed increase will be 10.00% and 5.00%, respectively, of the District’s revenue control limit in each of such years, as provided in Section 15-481(P) of the Arizona Revised Statutes.

Any budget increase continuation authorized by this election shall be entirely funded by a levy of taxes on the taxable property in 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 continuation of the increase in the school district’s budget would require an estimated continuation of a tax rate of \$2.73 per one hundred dollars of 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.

BUDGET OVERRIDE CONTINUATION, YES

☐

BUDGET OVERRIDE CONTINUATION, NO

☐

[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 Eloy Elementary School District Governing Board to continue the existing maintenance and operation budget override authority and resulting tax, which includes an amount that exceeds the District’s revenue control limit.

A “no” vote shall not authorize the Eloy Elementary School District Governing Board to extend the existing maintenance and operation budget override authority and resulting tax.

EXHIBIT B-1

[MAILED BALLOT ELECTION]

NOTICE AND CALL OF SPECIAL ELECTION

TO THE QUALIFIED ELECTORS OF ELOY ELEMENTARY SCHOOL DISTRICT NO. 11 OF PINAL COUNTY, ARIZONA:

A special election has been called by, and will be held in, Eloy Elementary School District No. 11 of Pinal County, Arizona (the “*District*”), on November 7, 2023 (“*Election Day*”). The purpose of the election is to permit the qualified electors of the District to vote on authorizing the District to adopt a General Maintenance and Operation Budget that includes an amount of up to 15% in excess of the revenue control limit for the fiscal year 2024/2025 and for six subsequent years (subject to certain reductions provided by statute in years six and seven).

The District’s current 15% budget override is by law required to be reduced by one-third in fiscal years 2024/2025 and 2025/2026. Because the existing override reduces by one-third in fiscal year 2024/2025, the proposed budget will exceed the 2024/2025 alternate budget by one-third of the override amount (approximately \$261,381) and the District’s secondary tax rate to fund this amount is estimated to be \$0.91 per one hundred dollars of net assessed valuation for secondary tax purposes. The full budget override amount is estimated to be \$784,142 and would be funded by an estimated \$2.73 per one hundred dollars of net assessed valuation for secondary property tax purposes, which is approximately equal to the current tax rate levied for the existing override. In future years, the amount of the increase will be as provided by law.

The election will be a mailed ballot only election. No polling places will be provided. Ballots will be mailed to qualified electors residing within the District no earlier than 27 days prior to the election and no later than 15 days before the election. Ballots must be received or dropped off at one of the designated ballot drop box locations as designated by the County Elections Department and as set forth in the informational pamphlet and/or the ballot no later than 7:00 p.m. on Election Day. The informational pamphlet will be mailed to the homes of qualified electors. If a ballot is lost, spoiled, destroyed or not received by the elector, the elector may receive a replacement ballot at the ballot replacement locations designated by the County Elections Department.

The last day to register to vote in order to be eligible to vote in this election is Monday, October 9, 2023.

For more information about the foregoing, please review A.R.S. § 15-481, or contact the Eloy Elementary School District, 1011 N. Sunshine Boulevard, Eloy, AZ 85131, telephone: (520) 466-2100.

EXHIBIT B-2

[POLLING PLACE ELECTION]

NOTICE OF SPECIAL ELECTION

TO THE QUALIFIED ELECTORS OF ELOY ELEMENTARY SCHOOL DISTRICT NO. 11 OF PINAL COUNTY, ARIZONA:

A special election will be held in Eloy Elementary School District No. 11 of Pinal County, Arizona (the “*District*”), on November 7, 2023, at the following polling places:

[INSERT FROM COUNTY ELECTIONS DEPARTMENT]

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 adopt a General Maintenance and Operation Budget that includes an amount of up to 15% in excess of the District’s revenue control limit for the fiscal year 2024/2025 and for six subsequent years (subject to certain reductions provided by statute in years six and seven).

The District’s current 15% budget override is by law required to be reduced by one-third in fiscal years 2024/2025 and 2025/2026. Because the existing override reduces by one-third in fiscal year 2024/2025, the proposed budget will exceed the 2024/2025 alternate budget by one-third of the override amount (approximately \$261,381) and the District’s secondary tax rate to fund this amount is estimated to be \$0.91 per one hundred dollars of net assessed valuation for secondary tax purposes. The full budget override amount is estimated to be \$784,142 and would be funded by an estimated \$2.73 per one hundred dollars of net assessed valuation for secondary property tax purposes, which is approximately equal to the current tax rate levied for the existing override. 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 Pinal County Elections Department, 188 S. Main Street, Coolidge, AZ 85128; telephone: (520) 866-7550. For more information about the foregoing, please review A.R.S. § 15-481, or contact the Eloy Elementary School District, 1011 N. Sunshine Boulevard, Eloy, AZ 85131, telephone: (520) 466-2100.

EXHIBIT C

**REQUEST FOR ARGUMENTS
“FOR” OR “AGAINST” THE SPECIAL BUDGET OVERRIDE ELECTION
ELOY ELEMENTARY SCHOOL DISTRICT NO. 11**

Eloy Elementary School District No. 11 of Pinal County, Arizona (the “*District*”), will hold a special 15% maintenance and operation budget override election on Tuesday, November 7, 2023. The total 15% budget override amount for the first year of the proposed continuation is estimated to be \$784,142 and would be funded in that year by an estimated \$2.73 tax rate per \$100 of net assessed valuation used for secondary property tax purposes which is approximately [equal to] the current secondary tax rate for the existing budget override. The Pinal 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 proposed 15% budget override (not to exceed 200 words) may do so by mail or hand delivery of the argument to the Pinal County School Superintendent’s office, 75 N. Baily Street, Building A, Florence, AZ 85132; telephone: (520) 866-6565.

To be included in the informational pamphlet, such argument must be received in the office of the Pinal County School Superintendent on or before 5:00 p.m., August 11, 2023. 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. If the argument is submitted by a political committee, it shall contain the sworn statement of the committee's chairperson or treasurer. If the argument is submitted by an individual and not on behalf of an organization, a political committee or any other group, the person shall submit the argument with a sworn, notarized statement. 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 9, 2023. For more information concerning the election, please contact the Eloy Elementary School District No. 11, 1011 N. Sunshine Boulevard, Eloy, AZ 85131, telephone: (520) 466-2100.

EXHIBIT D

BOARD'S "FOR" ARGUMENT

(Attached)

Eloy Elementary Governing Board “Pro-Statement”

ELOY GOVERNING BOARD:

Please join us in voting “**YES**” for the **budget override**. Your Governing Board is committed to providing Eloy children an educational system second to none. We can only maintain these high standards with the support of our community. In 2014 and 2018, voters supported our schools by voting “Yes” for the override election. Approval of the school district’s override allows for continued enhancement of Eloy Elementary Pre-Kinder through 8th grade education. This funding provides:

- **Academic Achievement Programs**
- **Attract and Retain HQ Teachers and Paraprofessionals**
- **Blue Devil Athletics**
- **Full Day Kindergarten**
- **Activities/Clubs**
- **Band Programs**
- **Field Trips**

Without this override, these programs will receive unprecedented reductions and cuts. Eloy Community, our school district needs your support in passing the budget override. This override is necessary to help us in our efforts to reduce classroom size and provide the needed staff that work directly with your children. This override will continue to pay for and support what we are currently paying right now. The district’s focus is our children and their future. Please support the budget override. To our voter this is a Continuation of our existing Override.

You are all we have....Your support is all we need!

Sincerely, EESD Board