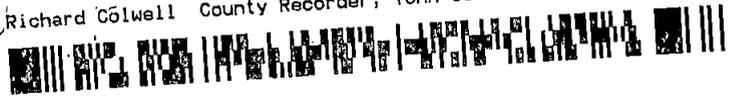


WHEN RECORDED, MAIL TO:

**CITY OF SAN LUIS
ATTN: CITY CLERK
P.O. BOX 1170
SAN LUIS, ARIZONA 85349**

2023-26186 RESOLUTION
11/09/2023 03:04:09 PM Pages: 15 Fees: \$15.00
Requested By: CITY OF SAN LUIS

Richard Colwell County Recorder, YUMA County AZ



The above area is to be reserved for recording information.

CAPTION HEADING:

RESOLUTION

Resolution No. 2297

Ordering and calling a Special Election to be held May 24, 2024, in and for the City of San Luis, Arizona, to submit to the qualified electors of San Luis the proposed amount to be raised by Primary (Ad Valorem) Property Taxes.



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2297

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD ON MAY 21, 2024, IN AND FOR THE CITY OF SAN LUIS, ARIZONA, TO SUBMIT TO THE QUALIFIED ELECTORS OF SAN LUIS THE PROPOSED AMOUNT TO BE RAISED BY PRIMARY (AD VALOREM) PROPERTY TAXES.

WHEREAS, the Mayor and Council of the City of San Luis, Arizona (the "City"), determine that the City should levy primary (ad valorem) property taxes in the next and each succeeding tax year for the purposes permitted by applicable law; and

WHEREAS, pursuant to Section 42-17056, Arizona Revised Statutes, the Mayor and Council of the City must submit the proposed amount to be raised by primary (ad valorem) property taxes for approval of the voters; and

WHEREAS, for purposes of the foregoing, the Mayor and Council of the City orders an election (the "Election");

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of San Luis, Arizona:

Section 1. That the Election, in and for the City, be and the same is hereby ordered and called to be held on May 21, 2024, at which there shall be submitted to the qualified electors of the City the proposed amount to be raised by primary (ad valorem) property taxes set forth in the official ballot.

Section 2. That the official ballot for the Election (the "Official Ballot") shall be in substantially the form attached hereto as Exhibit "A."

Section 3. (A) That notice of the Election shall be given by mailing an informational pamphlet (the "Informational Pamphlet") and a sample of the Official Ballot in substantially the form attached hereto as Exhibit "B," as revised as hereinafter described, to every household within the City not less than thirty-five (35) days before the date of the Election.

(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 she deems acceptable.

(C) That the Clerk of the City is hereby authorized to request arguments for and against the subject matter of the Election by providing the notice in the form and by the means provided in the form attached hereto and marked Exhibit "C" (hereinafter referred to as the "Request for Arguments"). **The deadline to submit such arguments shall be February 21, 2024.**

Section 4. That absentee/early voting with respect to the Election shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes.

Section 5. That the Clerk of the City is hereby authorized and directed to have printed and delivered to the election officials at the polling places, to be by them furnished to the qualified electors of the City offering to vote at the Election, the Official Ballot.

Section 6. 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, Official Ballot, "Absentee/Early Voting Materials" and "Instructions At The Polling Places."

Section 7. That the consolidation of any election precincts deemed necessary for purposes of the Election is hereby approved.

Section 8. (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 (i) using either electromechanical or electronic vote recording and ballot counting equipment or paper ballots at polling places, or (ii) as a mailed ballot election as provided in Section 16-409, Arizona Revised Statutes, as shall be determined to be in the best interests of the City by the Elections Department of Yuma County, Arizona (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 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, which expenditure 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 including all such actions as are necessary to assist the Elections Department of the County in conducting the Election and performing its duties.

Section 9. (A) That the official returns from the Election shall be made to the Mayor and Council of the City within twenty (20) days from the date of the 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 of votes cast and the total number of votes for and against creating the indebtedness and stating whether or not the indebtedness is ordered in each case.

Section 10: The City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Resolution.

Section 11: If a conflict arises between the provisions of this Resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced; and this Resolution shall govern.

Section 12: If any section, subsection, paragraph, sentence clause, phrase, or portion of this Resolution is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Resolution.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 8th day of November 2023.



Nieves Riedel, Mayor

ATTEST:

for Umtropz, Deputy City Clerk
Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil
Kay Marion Macuil, City Attorney

CERTIFICATION

I hereby certify that the foregoing Resolution No. 2297. was duly passed and adopted by the Mayor and Council of the City of San Luis, Arizona, at a regular meeting held on November 8, 2023, that the vote thereon was ..6.. ayes, ..0.. nays, and that the Mayor and ..5.. Council members were present thereat.

cmthompson Deputy City Clerk
.....
Clerk, City of San Luis, Arizona

EXHIBIT "A"

OFFICIAL BALLOT

PRIMARY (AD VALOREM) PROPERTY TAX IMPLEMENTATION

Shall the City of San Luis, Arizona (the "City"), be authorized to raise not to exceed \$2,500,000 by primary (ad valorem) property taxes? IF SUCH AMOUNT IS APPROVED BY THE VOTERS, IT SHALL BE THE BASE FOR DETERMINING LEVY LIMITATIONS FOR THE CITY FOR SUBSEQUENT FISCAL YEARS.

FOR THE TAX AGAINST THE TAX

EXHIBIT "B"

CITY OF SAN LUIS, ARIZONA

**INFORMATIONAL PAMPHLET
AND SAMPLE BALLOT**

**May 21, 2024
SPECIAL ELECTION**

TO THE VOTERS OF THE CITY OF SAN LUIS, ARIZONA:

The Mayor and Council of the City of San Luis, Arizona, pursuant to Resolution No. 2297, adopted on November 8, 2024, have ordered that a special election be held in and for the City of San Luis, Arizona (the "City"), on May 21, 2024 (the "Election"). The qualified electors of the City will be asked to vote on the amount to be raised by a primary (ad valorem) property tax.

A person is entitled to vote in the Election who has resided in a precinct in the boundaries of the City for 29 days preceding the Election, who is qualified to register to vote as provided in Section 16-101, Arizona Revised Statutes, as amended, and whose registration has been received by the Elections Department of Yuma County, Arizona prior to midnight of the 29th day preceding the date of the Election. The last day to register for the Election was April 22, 2024.

The purpose of this Informational Pamphlet is to provide you with information on the question which will appear on the ballot for the Election. A sample ballot and a list of the polling places for the election are included in this Informational Pamphlet.

Preparation of this Informational Pamphlet is required by State law and in compliance with the Federal Voting Rights Act, has been printed in English and Spanish. In order to be prepared to fully exercise your right to vote at the Election, you are urged to thoroughly read all the material. This Informational Pamphlet may be taken into the voting booth on the day of the Election.

Polling places for the Election will be open from 6 a.m. to 7 p.m. on May 21, 2024. Each voter must vote at the polling place in which the voter is registered. Please check the address label on this Informational Pamphlet for your polling place location. [Note: the city has the option for an all mail-in ballot election. In that case, no polling places will be open, and ballots may simply be sent through the mail.]

/s/ Sonia Cornelio

.....
City Clerk, City of San Luis, Arizona

INTRODUCTORY STATEMENT

The City has prepared this sample ballot and informational pamphlet to provide to the qualified electors of the City information concerning the Election.

The proposition being submitted for your consideration is the establishment of a primary (ad valorem) property tax for the City. Currently the City does not have a property tax. Revenues received from State “revenue sharing” funds are very limited due to the City’s low population. Additionally the City has rather low revenues generated by city sales tax due to the low number of businesses operating within city limits. It is estimated that, should this proposition pass, it will generate approximately \$2,500,000 dollars in revenues the first year it is implemented. [These limited moneys will be used for public safety purposes of the City.]

If the Election is successful, the City will levy a property tax comprised of a primary tax (used for capital improvement projects).

MATTERS RELATING TO PRIMARY (AD VALOREM) PROPERTY TAX

If approved at the Election, the primary (ad valorem) property tax which is the subject of the Election (the “Tax”) would generate approximately \$2,500,000.

AMOUNT OF TAX TO BE AUTHORIZED:

The amount to be raised by the Tax in fiscal year 2024-2025 requested by the Election is not to exceed \$2,500,000. IF SUCH AMOUNT IS APPROVED BY THE VOTERS, IT SHALL BE THE BASE FOR DETERMINING LEVY LIMITATIONS FOR THE CITY FOR SUBSEQUENT FISCAL YEARS.

EFFECT OF TAX:

If the Election is successful, the City would levy the Tax on all taxable property in the City. (The City does not currently levy a primary (ad valorem) property tax.) It is estimated that the rate of the Tax would be \$2.14 per \$100 of net assessed limited property valuation.

ESTIMATED TAXPAYER COST:

As noted above, the Tax would require a levy of primary (ad valorem) taxes on all taxable property within the City which would initially impact the taxpayers in the 2024-2025 fiscal year in the form of a \$2.14 tax rate increase. The yearly tax is estimated as follows The tax impact on an owner-occupied residence valued by the county assessor at \$250,000 is estimated to be \$2,500. The tax impact on commercial property valued by the county assessor at \$1,000,000 is estimated to be \$536. The tax impact on agricultural or other vacant property valued by the county assessor at \$100,000 is estimated to be \$322.

Assessor’s value for tax purposes is the value of property for the 2023-24 fiscal year as it appears on a tax bill and does not represent the market value. Estimated average net

assessed valuation of owner-occupied residential properties, commercial and industrial properties, or agricultural and vacant properties, as applicable, within the jurisdiction as provided by the Arizona Department of Revenue.

TAX LIMITATIONS:

No primary (ad valorem) property taxes may be collected in any tax year in excess of one percent of the full cash valuation of the subject residential property. (Such limitation does not apply to any secondary (ad valorem) property tax levy for indebtedness.) Primary (ad valorem) property taxes levied on all types of property by counties, cities, towns and community college districts are limited to a maximum increase of two percent over the prior year's levy plus any amount directly attributable to new construction and acquisition. The two percent limit does not apply to school districts.

POLLING LOCATIONS

[To Be Determined]

Precincts

Polling Place

HOURS DURING THE DAY WHEN THE POLLS WILL BE OPEN

The polling place shall be open at 6:00 a.m. and close at 7:00 p.m. on the date of the Election.

OTHER IMPORTANT VOTER INFORMATION

A person is entitled to vote in the Election who has resided in a precinct in the boundaries of the City for 29 days preceding the Election, who is qualified to register to vote as

provided in Section 16-101, Arizona Revised Statutes, as amended. The last day to register for the Election is April 22, 2024.

1. Please check the address label on this voter informational pamphlet for your polling place information.
2. Polling places will be open from 6:00 a.m. to 7:00 p.m.
3. Any qualified elector who is either physically or visually impaired or who is unable to read or understand the contents of the ballot, may be accompanied into the voting booth by a person of such elector's choice for the purpose of assisting such elector in casting a ballot.
4. Sample ballots may be brought to the voting place and may be taken into the voting booth on the day of the election.
5. Any qualified elector, who at 7:00 p.m., is in the line of waiting voters, will be allowed to prepare and cast a ballot.

EARLY/ABSENTEE VOTING INFORMATION

Any qualified elector may vote an early/absentee ballot for the Election. Absentee/early voting with respect to the Election shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended. Absentee/early voting information with respect to the Election may be obtained by contacting

Yuma County Voter and Election Services
102 South Main Street
Yuma, Arizona 85364
Telephone: (928) 373-1014

8:00 a.m. to 5:00 p.m., Monday through Friday

TO VOTE AN EARLY/ABSENTEE BALLOT IN PERSON

Appear in person at the polling place [to be determined].

TO OBTAIN AN EARLY/ABSENTEE BALLOT BY MAIL

Submit a written, signed request or call

Yuma County Voter and Election Services
102 South Main Street
Yuma, Arizona 85364
Telephone: (928) 373-1014

8:00 a.m. to 5:00 p.m., Monday through Friday

- a. If confined because of physical disability or illness, indicate address of confinement and if assistance is needed.
- b. If you will be out of City, indicate where to mail the early/absentee ballot.

Written or verbal requests for an early/absentee ballot must be received by the City of San Luis City Clerk's Office before 5:00 p.m. on May 10, 2024, in order for Election Services to mail the ballot.

The returned early/absentee ballot must be received in the Yuma County Recorder's Office not later than 7:00 p.m. on election day, May 21, 2024, in order for the ballot to be counted.

TO OBTAIN FURTHER INFORMATION, CONTACT

For Election Process, Voting Information, Voter Registration, and Early/Absentee Ballot Information:

:

Yuma County Voter and Election Services
102 South Main Street
Yuma, Arizona 85364
Telephone: (928) 373-1014

8:00 a.m. to 5:00 p.m., Monday through Friday

If you do not know if you are qualified to vote, you should contact the Yuma County Recorder's Office at the telephone number shown above.

OFFICIAL BALLOT

[Insert ballot form here]

ARGUMENTS FOR/AGAINST

[Insert arguments for/against here]

Bulk Rate
U.S. Postage Paid
Permit No. ____
_____, Arizona

OFFICIAL VOTING MATERIAL

**YOUR POLLING PLACE
IS INDICATED ON LABEL**

Only one voter Informational Pamphlet has been mailed to each household containing a registered voter. Please make it available to all registered voters in the household.

EXHIBIT "C"

**REQUEST FOR ARGUMENTS FOR AND AGAINST THE
AUTHORIZATION OF A PRIMARY (AD VALOREM)
PROPERTY TAX IN AND FOR THE CITY TO BE
CONSIDERED BY THE VOTERS OF THE CITY OF SAN LUIS,
ARIZONA, AT AN ELECTION TO BE HELD ON MAY 21, 2024**

Pursuant to Resolution No. 2297 adopted by the Mayor and Council of the City of San Luis, Arizona, (the "City"), on November 8, 2023 (the "Resolution"), a special election in and for the City was ordered and called to be held on May 21, 2024 (the "Election"). Notice of the Election will be given by mailing an informational pamphlet. Such pamphlet is to include arguments for and against the authorization of a primary (ad valorem) property tax in and for the City to be considered at the Election. (The text of the question to be considered at the Election is included in the Resolution which is available at the Office of the Clerk of the City at 1090 East Union Street, San Luis, Arizona 85349) Any person interested in providing any such argument 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 February 21, 2024.

Each argument filed shall not exceed 300 words and, in accordance with Arizona Revised Statutes, shall contain the sworn statement of each person sponsoring it; if the argument is submitted by an organization, it shall contain the sworn statement of two executive officers of the organization or if submitted by a political committee it shall contain the sworn statement of the committee's chairman 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 person or persons signing the argument shall identify themselves by giving their residence address and a telephone number, which shall not appear in the informational pamphlet. Any argument that is submitted that does not comply with the above requirements may not be included in the informational pamphlet.

If you have any questions about the foregoing, please contact the Clerk of the City at (928) 341-8520.

/s/ Sonia Cornelio

.....
City Clerk, City of San Luis, Arizona

This Request (along with Spanish translation thereof) should be posted at all places at which notices of meetings of the Mayor and Council of the City are posted and published in the as provided by law.