

Minutes of the regular meeting of September 8, 1987 held at 7:30 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Riefkohl and council members

Luis Guzman
Brad Gilmore
Thomas F. Morales, Jr.
A. B. Sernas
Raymond W. Bedoya
Lon Montgomery

ALSO PRESENT

City Manager
City Attorney

Carlos V. Palma
Frank L. Ross

APPROVAL OF MINUTES

Included with the agenda for the council's review and approval were the minutes of the Special meeting of July 9, 1987, Regular meeting of August 3, 1987, Regular meeting of August 17, 1987, Special meeting of August 25, 1987, and Special meeting of August 18, 1987.

There being no additions or corrections, Vice Mayor Montgomery moved to approve the minutes as submitted. Councilman Sernas seconded the motion. Motion carried unanimously.

CLAIMS

Also included with the agenda for the council's review and approval was a list of demand claims for July, 1987. There being no questions or comments, Councilman Gilmore moved to approve the claims. Councilman Morales seconded the motion. Motion carried unanimously.

SALES TAX CODE - CATHY CONNOLLY

Kathy Connolly, League of Arizona Cities and Towns, addressed the council concerning the adoption of the Model Sales Tax Code. Ms. Connolly explained that this Model Tax Code came about in response to the Legislature's attempt to preempt the city's right to impose a sales tax. She stated that this tax code addresses the concerns voiced by the business community and still maintain the local control. Ms. Connolly stated that this code standardizes the language but left the key decisions up to the individual communities. She explained that the model tax code before them now has been modified to meet Avondale's current sales tax ordinance.

REPORT ON CAPITAL PROJECT FINANCING

Ms. Lorraine Hayes introduced Leo Valdez, Boettcher and Company to the Mayor and Council.

Mr. Valdez presented to the council the financing structure which is being discussed with the city staff. He stated that this transaction will allow the city to proceed with the expansion and development of a new sewer treatment plant. Mr. Valdez stated

that in order to proceed with this project, we have to be in the position to conduct soil tests and an engineering study. He explained that in order to do soil tests the land must be secured. These items will all require funds. Mr. Valdez stated that the land will cost approximately \$550,000, the engineering \$1,200,000. He stated that since this totals about \$1,700,000 they discussed with the staff other capital improvements that were needed. He stated these are City Hall, Library Lease, Rapid Rail Leas Fire State Lease Land Lease and 119th Avenue Sewer project. Mr. Valdez stated that they are considering paying off existing loans and refinancing at a better interest rate of approximately 8%. He stated that this would reduce the payments that the city makes annually. There would be a savings of about \$50,000 in 1988. Mr. Valdez informed the council that the city is in the position to obtain an EPA grant. In order to do that the city must demonstrate to them by the first of the year the ability to go forward with the project.

Mr. Valdez reviewed the report submitted by Boettcher & Company for the Municipal Development Corporation Municial Facilities and Sewer Development Bonds Series 1987. He stated that they expect to close the transaction on October 15, 1987 and make the money available for the city to enter into final negotiations on the real estate and allow the engineering work to begin.

Mr. Palma asked Ms. Hayes to make her recommendations to the council regarding the proposed capital improvements as presented. Ms. Hayes stated that the staff does recommend the city proceed with Boettcher & Company. She stated that they have worked hard to accommodate the wishes of the staff.

Mr. Palma asked about the arbitrage benefits. Mr. Valdez explained this benefit. Mr. Palma asked if only a portion of the sewer project was being financed. Ms. Hayes stated that was true the remaining portion will be financed at a later date.

LIQUOR LICENSE APPLICATION FOR THOMAS GRAF

The City has received an application for a Series 16 Restaurant from Thomas Graf. Said license is to be located at Le Gourmand, 12345 West Indian School Rd. This application was published and posted as required by law and no comments were received.

Vice Mayor Montgomery moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

ZONING CASE Z-233 - EVANS WITHYCOMBE INC.

Mr. Curtis E. Bohn, Evans Withycombe Inc., requested approval of the PADD for Parcel 20, Garden Lakes, 15.96 acres.

Mr. Larry Ramirez informed the council that the Planning and Zoning Board had reviewed the site plan on August 13, 1987 and is recommending approval. He stated that the proposed development is an apartment complex with approximately 287 units. He stated

that the developer has submitted for a preliminary master plan for a Planned Area Development. The Developer Reed Butler was present to address the council.

Mr. Butler confirmed that they are proposing 287 units on 16 acres which works out to be about 18 units per acre. Mr. Butler stated that they will be built in a series of two story garden apartment buildings about 16 buildings altogether. He reviewed the proposed master plan with the council explaining the different amenities available. He mentioned a recreation center, bike paths, barbeques and some units will have washers and dryers. Councilman Guzman asked who would manage the complex. Mr. Butler stated that Evans Withycombe Inc. will be the developer and contractor and will act as property manager. The council and staff discussed the different types of buildings. The architect stated there will be three building types. Mr. Palma asked about the building types. Mr. Butler stated that they will be frame stucco construction with tile elements in the roofs of all the buildings.

Mr. Palma stated that the City Staff recommends approval of this request.

Vice Mayor Montgomery moved to approve this request. Councilman Gilmore seconded the motion. Motion carried unanimously.

ZONING CASE Z-234 - VELEN FANNIN FOR HOWARD THRUSTON

Mr. Velen Fannin requested preliminary approval of a subdivision plat located on East Brinker. Mr. Ramirez stated that this is an existing development. He informed the council that the Planning and Zoning Board approved this request. Mr. Ramirez stated that the purpose is to allow the owner to subdivide the property to facilitate development or the selling of the land.

Ms. Jolene Bachman was representing the owner. Councilman Guzman asked about parking on that street. Ms. Bachman stated that there is sufficient parking at this time. She explained that they are not currently building just subdividing the property.

Councilman Gilmore moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

ZONING CASE Z-235 - VFW POST 10308

The VFW Post 10308 requested rezoning of property located east of Dysart Road from R-5 to C-2. Mr. Ramirez informed the council that the City Staff had recommended to the Planning and Zoning Board that this request be denied. The Staff cited several reasons for this recommendation based on the site plan and access to the property. Mr. Ramirez stated that the staff did not approve of the location of the building on the lot or the access to the property. He stated that if this is rezoned it will be spot zoning, C-2 surrounded by R-5. Mr. Ramirez stated that the only access will be a 25' right of way on the east side of the parcel. This is an unimproved street. Mr. Ramirez stated that

the city policy regarding streets and new development has been to require the developer to extend the street or provide right of way for a street. He stated that in this case the city would have to acquire the right of way to construct a street. Mr. Ramirez stated that the proposed facility will be used for social events and may have a negative impact on the development of surrounding parcels.

Mr. Ramirez recommended the council deny this request for rezoning based on the site analysis.

Vice Mayor Montgomery asked if 9th Street could be improved to go through that area. Mr. Ramirez stated that there are not any plans to extend or improve 9th street in that area. He said that it would be impracticable because it would bisect several parcels. Mr. Ramirez introduced Mr. Jim Brown who spoke on behalf of the VFW.

Mr. Brown stated that the VFW is not a developer, they are a nonprofit organization with 150 members. He stated that they have been looking for a place to settle for a few years now. They have just recently reached a point where they could afford to purchase property. Mr. Brown stated that they would like to be in the Avondale-Goodyear area.

Mr. Brown stated that the reason for the C-2 zoning is to allow them to acquire a Private Club Liquor License and conduct the once a week bingo games and social events, and to include the use of the hall for private and civic affairs. Mr. Brown stated that the area surrounding this parcel is currently agricultural. He stated all of the residents in the area were contacted and asked for comments on this rezoning. Mr. Brown stated that everyone was very much in favor of them locating there. He stated that there are some things that they are requesting in regards to the rezoning. He stated first is to get the rezoning approved. Then they are asking for authorization to use a gravel parking lot until they can afford to put in a paved parking lot. Mr. Brown stated that they are proposing to locate the building either on the extreme east or the extreme west of the parcel with about 250 by 200 feet for parking. Mr. Brown stated that they anticipate the traffic to always be going one direction at a time, either in or out. He stated that they would like to receive authorization. and that they are willing to maintain the right of way as a gravel drive way. Mr. Brown stated that they are planning to build a 50 by 75 foot building or if they have enough money a 75 by 75 foot building. Councilman Guzman asked about the parking. Mr. Brown stated that they are proposing to stripe parking spaces for fifty cars and they believe this would be sufficient. Councilman Guzman stated that he is concerned that fifty spaces will not be sufficient. Mr. Brown stated that there is additional space to park another 25 to 30 cars. Councilman Guzman asked why they can not pave the parking lot. Mr. Brown stated that they will not have enough money to pave the lot at this time but plan to in the future. Councilman Guzman asked

what the VFW's plans are for the needed improvements. Mr. Brown stated that they did not have a plan. Mr. Brown stated that the VFW does not want to build a facility and then have the city come back and require the VFW to improve the street. He stated that they do not want to build the street for the city if the city does not build the street it will just remain access to the parcel.

Mr. Palma asked that the VFW commit to on site improvements and to a time frame in which the improvements will be done.

Mr. Brown stated that they are willing to build a stucco or block building. Mayor Riefkohl asked about 9th Street from Brinker to Riley. Mr. Ramirez stated that parcel 1b is a large parcel good for subdividing. The extension of 9th Street would dissect this parcel and make two smaller ones. He stated that he does not see the purpose of doing this. Mr. Ramirez cautioned the council about the city's liability on the right of way. He also cautioned the council against setting a precedence for spot zoning and for making exceptions to the street improvement requirements.

Councilman Morales moved to postpone this item and requested the VFW to provide the council with a schedule of improvements. Councilman Guzman seconded the motion. Motion carried 4 to 3.

AUTHORIZATION TO ADVERTISE FOR BIDS - PLAZA PROJECT

The City Manager requested authorization to advertise for bids for construction of the CDBG Plaza Project.

Councilman Gilmore moved to approve this request. Councilman Morales seconded the motion. Motion carried unanimously.

BID AWARD - HOUSING REHAB CONTRACTOR

The City Council reviewed bids received from contractors for three housing rehabilitation projects. Mr. Harold Branch addressed the council. He stated that the bids received were as follows:

Wester Arizona Construction Co	\$85,755
R.A.J. Construction Co.	86,925
Premier Building & Development Inc.	101,976

Mr. Branch stated that based on the architect's recommendation which he concurs with, he recommend that the rehab project be awarded to R.A.J. Construction Co.

Vice Mayor Montgomery moved to approve this request. Councilman Guzman seconded the motion.

Mayor Riefkohl asked Mr. Branch if the items mentioned by the architect in the letter concerning Western Arizona Construction were taken care of. Mr. Gomez, Architect, stated that as of that

afternoon they were not. Mr. Gomez discussed some of the problems and stated that some of the leaks were able to be repaired.

Ron Herb, Western Arizona Construction stated that it is his understanding that the problems have all been taken care of. He stated that this is their first experience in rehab work and there were some specification problems but they were all taken care of. Mr. Herb stated that his company is bonded. He mentioned other construction work which they have completed. Mr. Herb stated that Mr. Lucio would not be the superintendent, Mr. Roberts would be. Councilman Guzman asked Mr. Herb if they were the company that did the Finance Director's Office at City Hall. Mr. Herb stated that they were. Councilman Guzman stated that that job was never satisfactorily completed. Mr. Herb stated that he was not aware of what was wrong.

Mr. Herb stated that he sees no reason why the city should award this bid to the other company, they were the low bidder. He also stated that they were bonded. Mr. Gomez explained what the performance bond was and that there is not one for Western Arizona Construction Co. The Council and Staff discussed the difference in bonds.

Vice Mayor Montgomery wanted to withdraw his motion. Councilman Guzman would not withdraw his second. Motion was voted on.

Motion carried 5 to 2.

CAPITAL OUTLAY - ADMINISTRATION

The City Manager requested authorization to expend \$6,371.25 from General Fund for the installation of a new telephone system for City Hall.

Councilman Guzman moved to approve this request. Councilman Morales seconded the motion. Motion carried unanimously.

REQUEST FOR PROPOSALS - ENGINEERING

The City Manager requested authorization to issue a request for engineering proposals for the design engineering on the Water Company Acquisition Project.

Councilman Gilmore moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

POLLOCK ANNEXATION

The City Council reviewed a request to annex property located immediately east of the Agua Fria River between Van Buren and Buckeye Rd 1/2 mile west of 115th Avenue into the City of Avondale.

Councilman Gilmore moved to authorized the city staff to expend city funds to proceed with this annexations. Vice Mayor Montgomery seconded the motion. Motion carried unanimously.

FAITH ANNEXATION

The City Council reviewed a request to annex property located at 119th Avenue and Thomas into the City of Avondale.

Councilman Morales moved to authorize the city staff to expend city funds to proceed with this annexation. Councilman Guzman seconded the motion. Motion carried unanimously.

LEGAL SERVICES - BILL STEPHENS - WATER ATTORNEY

The City Manager requested authorization to pay Bill Stephens \$5661.48 for services rendered to the City regarding water rights, Central Arizona Project water and associated water issues.

Councilman Gilmore moved to approve this request. Councilman Guzman seconded the motion. Motion carried unanimously.

RESOLUTION - WORLDWIDE BUSINESS SYSTEMS

The City Council will review a resolution authorizing the City to enter into a maintenance agreement with Worldwide Business Systems for maintenance on the copier located at the Community Center.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Sernas seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Morales	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

RESOLUTION 760 - CANVASS OF VOTE FOR SPECIAL BOND ELECTION

The Mayor and Council reviewed Resolution Number 760 which adopts a certificate of results for the Highway User Revenue Bond Election held August 11, 1987.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Bedoya seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Morales	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

RESOLUTION 761 - CANVASS OF VOTE FOR SPECIAL BOND ELECTION

The Mayor and Council reviewed Resolution Number 761 which adopts a certificate of results for the Water Company Acquisition Project Special Bond Election held August 11, 1987.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Guzman seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Morales	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

RESOLUTION - HOUSING REHABILITATION CONTRACTOR

The Mayor and Council reviewed a resolution authorizing the City to enter into an agreement with R.A.J. Construction Co. for the Housing Rehabilitation Program.

Mr. Ross read the resolution by title. Councilman Guzman moved to adopt the resolution. Councilman Morales seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Morales	aye
Councilman Sernas	aye
Councilman Bedoya	aye
Vice Mayor Montgomery	nay
Mayor Riefkohl	nay

ORDINANCE - ADOPTION OF SALES TAX CODE

The Mayor and Council reviewed an ordinance adopting the Model Sales Tax Code.

Mr. Ross read the ordinance by title. Councilman Gilmore moved to adopt the resolution. Vice Mayor Montgomery seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	nay
Councilman Gilmore	aye
Councilman Morales	nay
Councilman Sernas	nay
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

ORDINANCE - AMENDING EFFECTIVE DATE FOR SALES TAX ON FOOD

The Mayor and Council will review an ordinance which amends the effective date for sales tax on food to July 13, 1987.

Mr. Ross read the resolution by title. Councilman Gilmore moved to adopt the resolution. Councilman Guzman seconded the motion. ROLL CALL VOTE AS FOLLOWS:

Councilman Guzman	aye
Councilman Gilmore	aye
Councilman Morales	nay
Councilman Sernas	nay
Councilman Bedoya	aye
Vice Mayor Montgomery	aye
Mayor Riefkohl	aye

ORDINANCE - BILLBOARDS

Councilman Gilmore moved to postpone this item. Councilman Guzman seconded the motion. Motion carried unanimously.

UNSCHEDULED PUBLIC APPEARANCES

Dale Moxon, 306 Camino Estrella, addressed the council regarding items of concern to him. He asked how it happened that four homes were tagged as being in violation of the zoning code in the Casa Lomas subdivision. He also asked why a billboard was allowed to be constructed at Central Avenue and Lawrence. Mr. Moxon asked the staff to get back to him with answers.

ADJOURNMENT

There being no further business to come before the council, Councilman moved to adjourn. Councilman seconded the motion. Motion carried unanimously.

Meeting adjourned at 9:43 p.m.


MAYOR RIEFKOHL


Linda M. Tyler, CMC
City Clerk

EXCERPTS FROM MINUTES OF A REGULAR MEETING OF THE
MAYOR AND COUNCIL OF
THE CITY OF AVONDALE, ARIZONA

HELD ON SEPTEMBER 8, 1987

The Mayor and Council of the City of Avondale, Arizona met in regular session on September 8, 1987, at the hour of 7:30 p.m.

The Mayor called the meeting to order and upon roll call, the following answered present:

Lowell Riefkohl, Mayor
Raymond W. Bedoya, Councilmember
Brad Gilmore, Councilmember
Joe Guzman, Councilmember
Lon R. Montgomery, Councilmember
Tom Morales, Councilmember
A. B. Sernas, Councilmember

Also present: Linda Taylor, City Clerk, Lorraine Hayes, Finance Director, and Carlos V. Palma, City Manager.

Absent: None

The Mayor declared the presence of a quorum and advised the Council that this was the day and hour set for the canvass of the returns of the special bond election held in and for the City of Avondale, Arizona (the "City") on August 11, 1987 seeking the approval of the qualified electors thereof of the issuance and sale of water revenue bonds of the City to provide funds to acquire the Cashion water system, the Bohne Water Company water system and the Rio Vista Water Company water system for the City, the election boards having filed with the Mayor and Council their returns of election and the ballots cast at the polling places. The Mayor and Council proceeded to canvass the returns of the election.

The Mayor and Council determined that a total of 193 ballots were cast at the election, that in answer to Question No. 1 submitted, 141 ballots were marked "For The Bonds", that 52 ballots were marked "Against The Bonds", that the election had been conducted and the returns thereof made as required by law, and that only qualified electors of the City were permitted to vote at the election.

Thereupon, the following-captioned resolution was introduced:

RESOLUTION NO. 761

RESOLUTION DECLARING THE RESULTS OF AND ADOPTING A CERTIFICATE OF RESULTS OF THE SPECIAL BOND ELECTION HELD ON AUGUST 11, 1987 IN AND FOR THE CITY OF AVONDALE, ARIZONA AND ORDERING THE RECORDING OF SUCH CERTIFICATE.

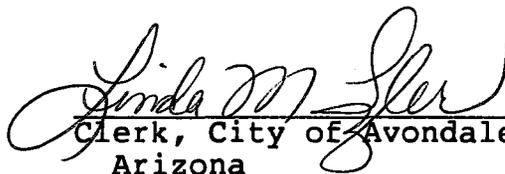
Councilmember Gilmore, moved that the Resolution be adopted as introduced and Councilmember Guzman, seconded the motion.

Upon roll call, the following voted "aye":

Lowell Riefkohl, Mayor
Raymond W. Bedoya, Councilmember
Brad Gilmore, Councilmember
Joe Guzman, Councilmember
Lon R. Montgomery, Councilmember
Tom Morales, Councilmember
A. B. Sernas, Councilmember

and none voted "nay".

The Mayor declared the Resolution adopted as introduced.


Clerk, City of Avondale,
Arizona

EXCERPTS FROM THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA HELD ON SEPTEMBER 8, 1987.

The Mayor and Council of the City of Avondale, Arizona met in regular session on September 8, 1987, at the hour of 7:30 p.m.

The Mayor called the meeting to order and upon roll call, the following answered present:

Lowell Riefkohl, Mayor

Raymond W. Bedoya, Council Member

Brad Gilmore, Council Member

Joe Guzman, Council Member

Lon R. Montgomery, Council Member

Tom Morales, Council Member

A. B. Sernas, Council Member

Also present: Linda Tyler, Clerk, Lorraine Hayes, Finance Director, and Carlos V. Palma, City Manager.

Absent: None

The Mayor declared the presence of a quorum and advised the Council that this was the day set for the canvass of the returns of the special bond election held in and for the City of Avondale, Arizona on August 11, 1987, seeking the approval of the qualified electors thereof of the issuance and sale of up to and including \$2,500,000 aggregate principal

amount of City of Avondale, Arizona Street and Highway User Revenue Bonds, the election boards having filed with the Mayor and Council their returns of election and the ballots cast at the polling places. The Council canvassed the returns of the election and determined that a total of 187 ballots had been cast in response to Question No. 2 submitted, that 144 ballots were marked "For The Bonds" and 43 ballots were marked "Against The Bonds;" that the election had been conducted and the returns thereof made as required by law; and that only qualified electors of the City of Avondale, Arizona were permitted to vote at the election.

Thereupon, the following-captioned resolution was introduced:

RESOLUTION NO. 760

RESOLUTION DECLARING THE RESULTS OF AND ADOPTING A CERTIFICATE OF RESULTS OF THE SPECIAL STREET AND HIGHWAY USER REVENUE BOND ELECTION HELD ON AUGUST 11, 1987; ORDERING THE RECORDING OF SUCH CERTIFICATE; AND DECLARING AN EMERGENCY

Councilmember Gilmore moved that the Resolution be adopted as introduced and Councilmember Bedoya seconded the motion.

Upon roll call, the following voted "aye":

Lowell Riefkohl, Mayor

Raymond W. Bedoya, Council Member

Brad Gilmore, Council Member

Joe Guzman, Council Member

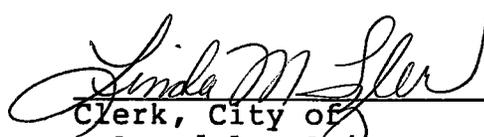
Lon R. Montgomery

Tom Morales, Council Member

A. B. Sernas, Council Member

and none voted "nay".

The Mayor declared the Resolution adopted as introduced.


Clerk, City of
Avondale, Arizona

RESOLUTION NO. 760

RESOLUTION DECLARING THE RESULTS OF AND ADOPTING A CERTIFICATE OF RESULTS OF THE SPECIAL STREET AND HIGHWAY USER REVENUE BOND ELECTION HELD ON AUGUST 11, 1987; ORDERING THE RECORDING OF SUCH CERTIFICATE AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA:

Section 1. That after careful examination of the official returns of the special street and highway user revenue bond election held in and for the City of Avondale, Arizona on August 11, 1987, it is found and determined by the Mayor and Council as follows:

(A) That a majority of those qualified electors voting at the aforementioned special bond election voted "For The Bonds," as shown on the attached Certificate of Results of Election;

(B) That up to and including \$2,500,000 aggregate principal amount of City of Avondale, Arizona Street and Highway User Revenue Bonds are therefore authorized to be issued and sold;

(C) That the Mayor and members of this Council present this date will execute the attached Certificate of Results of Election; and

(D) That the Clerk is hereby directed to record the attached Certificate of Results of Election in the Office of the County Recorder of Maricopa County, Arizona, and to return said copy with the recording data shown thereon to the official records of this body.

Section 2. That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is hereby declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the Mayor and Council as required by law and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and Council of the
City of Avondale, Arizona, on September 8, 1987.


Mayor

(SEAL)

ATTEST:


Clerk

CERTIFICATE OF RESULTS OF ELECTION

CERTIFICATE OF THE MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA RELATIVE TO THE SPECIAL STREET AND HIGHWAY USER REVENUE BOND ELECTION HELD IN AND FOR THE CITY OF AVONDALE, ARIZONA ON AUGUST 11, 1987.

The Mayor and Council of the City of Avondale, Arizona, pursuant to the provisions of Title 48, Chapter 4, Article 5, Arizona Revised Statutes, as amended, do hereby certify as follows:

1. That pursuant to a Resolution passed and adopted by the Mayor and Council on June 15, 1987 (the "Resolution"), a street and highway user revenue bond election of the qualified electors of the City of Avondale, Arizona was duly and regularly held on August 11, 1987, for the purpose of approving the issuance and sale of City of Avondale, Arizona Street and Highway User Revenue Bonds, in the total aggregate principal amount of up to and including \$2,500,000, to provide funds for the purpose of improvement, construction, reconstruction, acquisition of rights-of-way or maintenance of City streets and highways and to pay all necessary legal, accounting, financial and other contingent costs in connection therewith.

2. That the total number of ballots cast at the special bond election in response to Question No. 2 submitted was 187; that 144 ballots were marked "For The Bonds" and 43 ballots were marked "Against The Bonds;" that the election had been conducted and the returns thereof made as required by law; and that the results of the election are as follows:

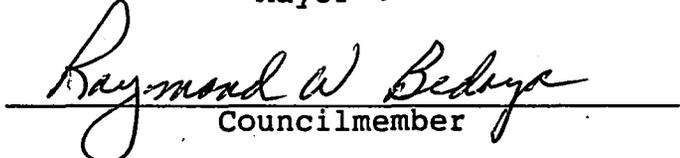
<u>Polling Places</u>	<u>For The Bonds</u>	<u>Against The Bonds</u>	<u>Total</u>
Avondale Junior High School			
Library	79	32	111
Avondale Community Center	<u>65</u>	<u>11</u>	<u>76</u>
Totals	144	43	187

3. That each and every person who voted at the special street and highway user revenue bond election held at the time, place and in the manner aforesaid was a qualified elector of the City of Avondale, Arizona; that proof of the due and regular publication of the Resolution calling the special bond election has been made and filed with the Mayor and Council and placed upon the minutes of the Council.

4. That the majority of the votes cast at the election in answer to Question No. 2 was in favor of the indebtedness, as described in Question No. 2 submitted at the election, by the issuance and sale of up to and including \$2,500,000 aggregate principal amount of City of Avondale, Arizona Street and Highway User Revenue Bonds, and that the Mayor and Council do hereby order the issuance and sale of all the bonds of this issue.

IN WITNESS WHEREOF, the Mayor and members of this Council have hereunto placed their hands and caused the same to be attested by the Clerk and the seal of the City of Avondale, Arizona to be affixed hereto on September 8, 1987.

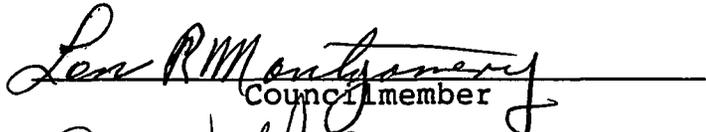

Mayor


Councilmember


Councilmember

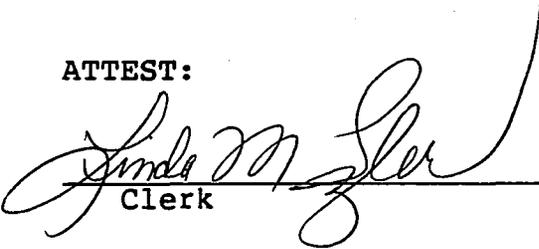

Councilmember


Councilmember


Councilmember


Councilmember

ATTEST:


Clerk

(SEAL)

THIS DOCUMENT MUST BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA.

RESOLUTION NO. 761

RESOLUTION DECLARING THE RESULTS OF AND ADOPTING A CERTIFICATE OF RESULTS OF THE SPECIAL BOND ELECTION HELD ON AUGUST 11, 1987 IN AND FOR THE CITY OF AVONDALE, ARIZONA AND ORDERING THE RECORDING OF SUCH CERTIFICATE.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA:

That after careful examination of the official returns of the special bond election held in and for the City of Avondale, Arizona on August 11, 1987, it is found and determined by the Mayor and Council as follows:

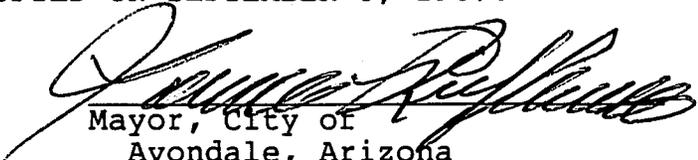
(A) That a majority of those qualified electors of the City voting at the aforementioned special bond election voted "For the Bonds" to provide funds to acquire the Cashion water system, the Bohne Water Company water system and the Rio Vista Water Company water system for the City, as shown on the attached Certificate of Results of Election;

(B) That not to exceed \$1,900,000 principal amount of City of Avondale, Arizona water revenue bonds, such water revenue bonds, or any series thereof, to be issued as water revenue bonds payable solely from the revenues of the water systems so acquired, are therefore authorized to be issued and sold;

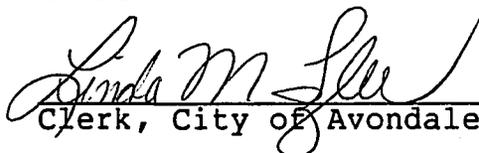
(C) That the Mayor and members of this Council present this date shall execute the attached Certificate of Results of Election; and

(D) That the Clerk is hereby directed to record the attached Certificate of Results of Election in the Office of the County Recorder of Maricopa County, Arizona, and to return said copy with the recording data shown thereon to the official records of this body.

PASSED AND ADOPTED ON SEPTEMBER 8, 1987.


Mayor, City of
Avondale, Arizona

ATTEST:


Clerk, City of Avondale, Arizona

CERTIFICATE OF RESULTS OF ELECTION

CERTIFICATE OF THE MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA RELATIVE TO THE SPECIAL BOND ELECTION HELD IN AND FOR THE CITY OF AVONDALE, ARIZONA, ON AUGUST 11, 1987.

The Mayor and Council of the City of Avondale, Arizona (the "City"), do hereby certify as follows:

1. That, pursuant to a resolution passed and adopted by the City on June 15, 1987 (the "Resolution"), a special bond election of the qualified electors of the City was duly and regularly held on August 11, 1987 at which time there was submitted to the qualified electors of the City the following question:

QUESTION NO. 1

PURPOSE: ISSUANCE OF WATER REVENUE BONDS
FOR ACQUISITION OF WATER SYSTEMS

AMOUNT: \$1,900,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of water revenue bonds in the principal amount of up to and including \$1,900,000 for the purpose of providing funds to acquire the Cashion water system, the Bohne Water Company water system and the Rio Vista Water Company water system for the City and to pay all expenses properly incidental thereto and to the issuance and sale of such water revenue bonds, such water revenue bonds, or any series thereof, to be payable solely from the revenues of the water systems so acquired, such bonds to be in the denomination of \$1,000 each or whole multiples thereof, to mature not more than thirty (30) years from their date and to bear interest at a rate or rates not to exceed twelve percent (12%) per annum, payable semiannually?

2. That in answer to Question No. 1 submitted, 141 ballots were marked "For The Bonds", 52 ballots were marked "Against the Bonds"; that the election had been conducted and the returns thereof made as required by law; and that the results of the election are as follows:

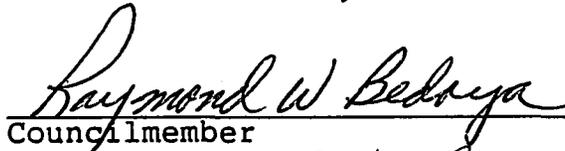
<u>Polling Place</u>	<u>For The Bonds</u>	<u>Against the Bonds</u>
Avondale Junior High School Library	78	37
Avondale Community Center	<u>63</u>	<u>15</u>
Totals	141	52

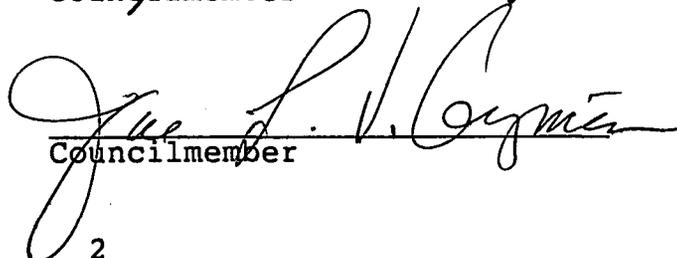
3. That each and every person who voted at the special bond election held at the time, place and in the manner aforesaid was a qualified elector of the City and that proof of the due and regular publication of the Order and Call of Special Bond Election has been made and filed with the Mayor and Council and placed upon the minutes of the Mayor and Council.

4. That the majority of the votes cast at the election in answer to Question No. 1 submitted were in favor of the indebtedness, as described in Question No. 1 submitted at the election for the issuance and sale of not to exceed \$1,900,000 principal amount of City of Avondale, Arizona water revenue bonds and that the Mayor and Council do hereby order the issuance and sale of all the water revenue bonds of this issue.

IN WITNESS WHEREOF, the Mayor and members of this Council have hereunto placed their hands and caused the same to be attested by the Clerk and the seal of the City of Avondale, Arizona to be affixed hereto on September 8, 1987.


Mayor


Councilmember


Councilmember

Steve B. Summers
Councilmember

Thomas F. Morales Jr.
Councilmember

Low R. Montgomery
Councilmember

Brad Helmer
Councilmember

ATTEST:

Linda M. Glor
Clerk

THIS DOCUMENT MUST BE RECORDED IN THE OFFICE OF THE COUNTY
RECORDER OF MARICOPA COUNTY, ARIZONA.

_____-__ /34764MGE