

Minutes of the Special Meeting of October 25, 1993 held at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Bedoya and Council Members

Earl Cooper
Henry Beltran
Albert Carroll, Jr.
Lon Montgomery

ALSO PRESENT

City Manager
City Attorney

Carlos V. Palma
Frank L. Ross

ABSENT/EXCUSED

Lon Montgomery
Oralia C. Contreras

2) CANVASS OF VOTES - 1993 PRIMARY ELECTION

In accordance with Arizona Revised Statutes, the City Council met to canvass the results of the Primary Election of October 12, 1993.

Ms. Linda Tyler, City Clerk read the results of the election. They were as follows:

NUMBER OF BALLOTS CAST IN EACH PRECINCT

MAYOR		#1	#2	#3	#4	TOTAL
Raymond W. Bedoya		142	112	172	56	482
COUNCILMEMBER						
Al Carroll		124	121	148	49	442
Oralia Contreras		120	111	114	73	418
Keith Krone		107	65	202	21	395
Thomas Morales		145	125	142	56	468
WRITE IN CANDIDATE-COUNCIL						
Leticia R. Frausto		4	5	1	4	14
PROPOSITION 300	YES	150	109	199	64	522
	NO	53	56	60	29	198
BOND QUESTIONS						
#1 - Water, Sewer, Streets	YES	146	101	181	63	491
	NO	56	56	78	24	214
#2 - Other Water & Sewer	YES	142	105	163	63	473
	NO	60	58	97	25	240
#3 - Public Safety	YES	143	101	218	59	521
	NO	60	65	45	32	202
#4 - Comm. Ctr. Imp. & Rec. Ctr.	YES	126	94	118	50	388
	NO	74	70	141	40	325
TOTAL BALLOTS CAST IN EACH PRECINCT		207	181	269	95	

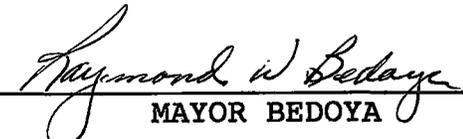
TOTAL BALLOTS PROCESSED 752

Mayor Bedoya moved to certify the results of the October 12, 1993 primary election as submitted by the City Clerk. Councilman Carroll seconded the motion. Motion carried unanimously.

ADJOURNMENT

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

Meeting adjourned at 7:15 p.m.


MAYOR BEDOYA

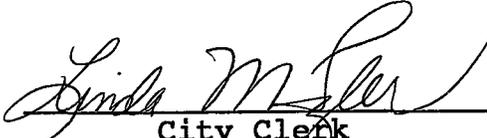

Linda M. Tyler, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City council of the City of Avondale held on the 25th day of October, 1993. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of October, 1993.

seal


City Clerk

EXCERPTS FROM MINUTES OF A REGULAR MEETING OF THE
MAYOR AND COUNCIL OF THE CITY OF AVONDALE, ARIZONA
HELD ON OCTOBER 25, 1993

The Mayor and Council of the City of Avondale, Arizona met in regular session on October 25, 1993, at the hour of 7:30 p.m.

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

Raymond W. Bedoya, Mayor
Tom Morales, Vice Mayor
Henry Beltran, Councilmember
Al Carroll, Councilmember
Earl D. Cooper, Councilmember
Lon R. Montgomery, Councilmember
Oralia Contreras, Councilmember

Also present: Linda Tyler, Ron Brown and Carlos V. Palma, Clerk, Finance Director and City Manager, respectively.

Absent: _____

The Mayor declared the presence of a quorum and advised the Council that October 25, 1993 was the day set for canvass of the returns of the special bond election held in and for the City of Avondale, Arizona on October 12, 1993, 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 in answer to Question No. 1 submitted, 491 ballots were marked "For The Bonds" and 214 ballots were marked "Against The Bonds;" that in answer to Question No. 2 submitted, 473 ballots were marked "For The Bonds" and 240 ballots were marked "Against The Bonds;" that in answer to Question No. 3 submitted, 521 ballots were marked "For The Bonds" and 202 ballots were marked "Against The Bonds;" in answer to Question No. 4 submitted, 388 ballots were marked "For The Bonds"

and 325 ballots were marked "Against The Bonds;" and 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 order was proposed:

BE IT HEREBY ORDERED AND DETERMINED by the Mayor and Council of the City of Avondale, Arizona:

That a majority of the votes cast by the qualified electors of the City of Avondale, Arizona, voting at the special bond election held on October 12, 1993, were cast "For The Bonds" in response to the following question:

QUESTION NO. 1

PURPOSE: WATER RESOURCES, WATER AND SEWER AND STREET
IMPROVEMENTS
AMOUNT: \$4,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of bonds of the City in the principal amount of \$4,000,000 for the purpose of providing funds to (a) to acquire, construct and improve water treatment and storage facilities, to acquire, construct and improve water transmission lines and facilities, to construct additional water wells, to acquire addition water wells, water rights, land and rights-of-way, whether within or without the limits of the City, by purchase, exercise of the power of eminent domain or any other method of acquisition, for the City's water system, to improve, better and extend the existing water or sewer systems of the City, both within and without the City's limits, to acquire, construct and improve sewer transmission lines and facilities, to improve, better and extend the City's effluent reuse disposal system, to acquire any other property of any kind for the City's water or sewer systems, to pay all expenses incidental to any of the foregoing and to the issuance and sale of such water or sewer bonds, and (b) to improve, construct, reconstruct and maintain streets, highways and bridges within the City, to acquire, construct and install street lights, traffic signals, traffic safety improvement devices, drainage improvements, retention basins and landscaping therefor, to acquire land and interest in land for rights-of-way therefor by purchase, exercise of the power of eminent domain or any other method of acquisition, and to pay all expenses incidental thereto and to the issuance and sale of such street and highway bonds; such water or sewer bonds and street and highway bonds, or any series thereof, to be issued as general obligation bonds of the City, payable from ad valorem taxes levied

upon all of the taxable property in the City, provided, however, that such bonds which are issued for water or sewer purposes may, at the option of the Council of the City, be issued as water or sewer revenue bonds, payable solely from the revenues of the water or sewer systems of the City, and that such bonds which are issued for street and highway purposes may, at the option of the Council of the City, be issued as street and highway user revenue bonds, payable solely from taxes, fees, charges and other moneys collected by the State of Arizona and returned to the City for street and highway purposes pursuant to law; such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

That a majority of the votes cast by the qualified electors of the City of Avondale, Arizona, voting at the special bond election held on October 12, 1993, were cast "For The Bonds" in response to the following question:

QUESTION NO. 2

PURPOSE: OTHER WATER AND SEWER IMPROVEMENTS
AMOUNT: \$2,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of water or sewer bonds of the City in the principal amount of \$2,000,000 for the purpose of providing funds to improve, better and extend the existing water and sewer systems of the City, both within and without the City's limits, to acquire, construct and improve water transmission lines and facilities, to construct additional water wells, to acquire additional water wells, water rights, land and rights-of-way, whether within or without the limits of the City, by purchase, exercise of the power of eminent domain or any other method of acquisition, for the City's water or sewer systems, to acquire, construct and improve water treatment and storage facilities, to acquire, construct and improve sewer transmission lines and facilities, to improve, better and extend the City's effluent reuse disposal system, to acquire any other property of any kind for the City's water or sewer systems, to pay all expenses incidental to any of the foregoing and to the issuance and sale of such water or sewer bonds; such water or sewer bonds, or any series thereof, to be issued at the option of the Council of the City, as general obligation bonds of the City, payable from ad valorem taxes levied upon all of the taxable property in the City, or as water or sewer revenue bonds, payable solely from the revenues of the water or sewer systems of the City; such water or sewer bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such water or sewer bonds, or any series thereof, to be issued as current interest bonds with

the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

That a majority of the votes cast by the qualified electors of the City of Avondale, Arizona, voting at the special bond election held on October 12, 1993, were cast "For The Bonds" in response to the following question:

QUESTION NO. 3

PURPOSE: PUBLIC SAFETY
AMOUNT: \$2,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$2,000,000 for the purpose of providing funds to design, construct, equip and furnish a new police and fire substation, to acquire police equipment, fire fighting and rescue equipment, to acquire land for the police and fire substation by purchase, exercise of the power of eminent domain or any other method of acquisition, to improve the grounds thereof, and to pay all expenses incidental to any of the foregoing and to the issuance and sale of such bonds, such bonds, or any series thereof, to be issued as general obligation bonds of the City, payable from ad valorem taxes levied upon all of the taxable property in the City, such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

That a majority of the votes cast by the qualified electors of the City of Avondale, Arizona, voting at the special bond election held on October 12, 1993, were cast "For The Bonds" in response to the following question:

QUESTION NO. 4

PURPOSE: COMMUNITY CENTER AND RECREATIONAL CENTER
IMPROVEMENTS
AMOUNT: \$2,500,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$2,500,000 for the purpose of providing funds to design, construct, equip and furnish an expansion to the City's Community Center, to design, construct, equip and furnish a recreational center, to acquire land by purchase, exercise of the power of eminent domain or any other method by acquisition, for the recreational center and to pay all

expenses incidental thereto to any of the foregoing and to the issuance and sale of such general obligation bonds; such general obligation bonds, or any series thereof, to be payable from ad valorem taxes levied upon all of the taxable property in the City; such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

After reviewing the foregoing order, it was moved and seconded that the said order be made and that the Mayor and Council of the City of Avondale, Arizona certify the results of the election by executing the "Certificate of Results of Special Bond Election Held in the City of Avondale, Arizona, on October 12, 1993," in the form of the Certificate attached to these minutes. The motion was unanimously adopted.

There being no further business relative to the above matter to come before the Mayor and Council of the City of Avondale, Arizona, the meeting was adjourned.

Clerk, City of Avondale, Arizona

CERTIFICATE OF RESULTS OF SPECIAL BOND ELECTION HELD
IN THE CITY OF AVONDALE, ARIZONA ON OCTOBER 12, 1993.

It is hereby certified by the Mayor and Council of the City of Avondale, Arizona, as follows:

I. That a special bond election was duly called and held in and for the City of Avondale, Arizona (hereinafter referred to as the "City"), on October 12, 1993, under the provisions of Title 35, Chapter 3, Article 3, Arizona Revised Statutes, as amended, when there was submitted to the qualified electors of the City the questions as shown on the attached form of ballots;

II. That the poll and tally lists and the official returns of the election boards that conducted the special bond election were filed with the Mayor and Council of the City and on October 25, 1993 and that this Mayor and Council met and canvassed the returns of the special bond election as prescribed by law;

III. That the undersigned Mayor and Council further certify that the object of the special bond election was to obtain authority from the qualified electors of the City to issue and sell the bonds described in the attached form of ballot;

IV. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to Question No. 1 submitted to the qualified electors of the City at the special bond election, the majority of the votes cast were cast in favor of the creation of the indebtedness described in Question No. 1 submitted at the election for the issuance and sale of not to exceed \$_____ principal amount of bonds of the City of Avondale, Arizona, such bonds to be issued as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, as amended, or as water and sewer revenue bonds pursuant to Title 9, Chapter 5, Article 3, Arizona Revised Statutes, as amended, or as tax-secured water and sewer revenue bonds pursuant to Title 9, Chapter 5, Article 3 and Title 35, Chapter 3, Article 3, Arizona Revised Statutes, as amended, as determined by the election boards at the polling places in the City, and that the election had been conducted and the returns thereof made as required by law and that the result of the election is set forth in the following tabulation of the official election returns, to-wit:

<u>For</u> <u>The Bonds</u>	<u>Against</u> <u>The Bonds</u>	<u>Total</u>
491	214	705

V. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to Question No. 2 submitted to the qualified electors of the

V. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to Question No. 2 submitted to the qualified electors of the City at the special bond election, the majority of the votes cast were cast in favor of the creation of the indebtedness described in Question No. 2 submitted at the election for the issuance and sale of not to exceed \$2,000,000 principal amount of bonds of the City of Avondale, Arizona, such bonds to be issued as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, as amended, or as water or sewer revenue bonds of the City pursuant to Title 9, Chapter 5, Article 3, Arizona Revised Statutes, as amended, as determined by the election boards at the polling places in the City, and that the election had been conducted and the returns thereof made as required by law and that the result of the election is set forth in the following tabulation of the official election returns, to-wit:

<u>For The Bonds</u>	<u>Against The Bonds</u>	<u>Total</u>
473	240	713

VI. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to Question No. 3 submitted to the qualified electors of the City at the special bond election, the majority of the votes cast were cast in favor of the creation of the indebtedness described in Question No. 3 submitted at the election for the issuance and sale of not to exceed \$2,000,000 principal amount of general obligation bonds of the City of Avondale, Arizona, as determined by the election boards at the polling places in the City, and that the election had been conducted and the returns thereof made as required by law and that the result of the election is set forth in the following tabulation of the official election returns, to-wit:

<u>For The Bonds</u>	<u>Against The Bonds</u>	<u>Total</u>
521	202	723

VII. That we do further find and certify, after careful and complete canvass of the official election returns, that in answer to Question No. 4 submitted to the qualified electors of the City at the special bond election, the majority of the votes cast were cast in favor of the creation of the indebtedness described in Question No. 4 submitted at the election for the issuance and sale of not to exceed \$2,500,000 principal amount of general obligation bonds of the City of Avondale, Arizona, as determined by the election boards at the polling places in the City, and that the election had been conducted and the returns thereof made as

IN WITNESS WHEREOF, we have hereunto set our hands on this, the 25th day of October, 1993.

MAYOR AND COUNCIL OF THE CITY OF
AVONDALE, ARIZONA

Raymond W. Bedoya
Raymond W. Bedoya, Mayor

P. F. Morales, Jr.
Tom Morales, Vice Mayor

Henry Beltran
Henry Beltran, Councilmember

Al Carroll
Al Carroll, Councilmember

Earl D. Cooper
Earl D. Cooper, Councilmember

Lon R. Montgomery
Lon R. Montgomery, Councilmember

Oralia Contreras
Oralia Contreras, Councilmember

EXHIBIT A

OFFICIAL BALLOT

FOR SPECIAL BOND ELECTION TO BE HELD IN THE
CITY OF AVONDALE, ARIZONA ON OCTOBER 12, 1993.

QUESTION NO. 1

PURPOSE: WATER RESOURCES, WATER AND SEWER AND STREET
IMPROVEMENTS
AMOUNT: \$4,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of bonds of the City in the principal amount of \$4,000,000 for the purpose of providing funds to (a) to acquire, construct and improve water treatment and storage facilities, to acquire, construct and improve water transmission lines and facilities, to construct additional water wells, to acquire addition water wells, water rights, land and rights-of-way, whether within or without the limits of the City, by purchase, exercise of the power of eminent domain or any other method of acquisition, for the City's water system, to improve, better and extend the existing water or sewer systems of the City, both within and without the City's limits, to acquire, construct and improve sewer transmission lines and facilities, to improve, better and extend the City's effluent reuse disposal system, to acquire any other property of any kind for the City's water or sewer systems, to pay all expenses incidental to any of the foregoing and to the issuance and sale of such water or sewer bonds, and (b) to improve, construct, reconstruct and maintain streets, highways and bridges within the City, to acquire, construct and install street lights, traffic signals, traffic safety improvement devices, drainage improvements, retention basins and landscaping therefor, to acquire land and interest in land for rights-of-way therefor by purchase, exercise of the power of eminent domain or any other method of acquisition, and to pay all expenses incidental thereto and to the issuance and sale of such street and highway bonds; such water or sewer bonds and street and highway bonds, or any series thereof, to be issued as general obligation bonds of the City, payable from ad valorem taxes levied upon all of the taxable property in the City, provided, however, that such bonds which are issued for water or sewer purposes may, at the option of the Council of the City, be issued as water or sewer revenue bonds, payable solely from the revenues of the water or sewer systems of the City, and that such bonds which are issued for street and highway purposes may, at the option of the Council of the City, be issued as street and highway user revenue bonds, payable solely from taxes, fees, charges and other moneys collected by the State of Arizona and returned to the City for street and highway purposes pursuant to law; such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates

not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

FOR THE BONDS / / AGAINST THE BONDS / /

QUESTION NO. 2

PURPOSE: OTHER WATER AND SEWER IMPROVEMENTS
AMOUNT: \$2,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of water or sewer bonds of the City in the principal amount of \$2,000,000 for the purpose of providing funds to improve, better and extend the existing water and sewer systems of the City, both within and without the City's limits, to acquire, construct and improve water transmission lines and facilities, to construct additional water wells, to acquire additional water wells, water rights, land and rights-of-way, whether within or without the limits of the City, by purchase, exercise of the power of eminent domain or any other method of acquisition, for the City's water or sewer systems, to acquire, construct and improve water treatment and storage facilities, to acquire, construct and improve sewer transmission lines and facilities, to improve, better and extend the City's effluent reuse disposal system, to acquire any other property of any kind for the City's water or sewer systems, to pay all expenses incidental to any of the foregoing and to the issuance and sale of such water or sewer bonds; such water or sewer bonds, or any series thereof, to be issued at the option of the Council of the City, as general obligation bonds of the City, payable from ad valorem taxes levied upon all of the taxable property in the City, or as water or sewer revenue bonds, payable solely from the revenues of the water or sewer systems of the City; such water or sewer bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such water or sewer bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

FOR THE BONDS / / AGAINST THE BONDS / /

QUESTION NO. 3

PURPOSE: PUBLIC SAFETY
AMOUNT: \$2,000,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$2,000,000 for the purpose of providing funds to design, construct, equip and furnish a new police and fire substation, to acquire police equipment, fire fighting and rescue equipment, to acquire land for the police and fire substation by purchase, exercise of the power of eminent domain or any other method of acquisition, to improve the grounds thereof, and to pay all expenses incidental to any of the foregoing and to the issuance and sale of such bonds, such bonds, or any series thereof, to be issued as general obligation bonds of the City, payable from ad valorem taxes levied upon all of the taxable property in the City, such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

FOR THE BONDS / / AGAINST THE BONDS / /

QUESTION NO. 4

PURPOSE: COMMUNITY CENTER AND RECREATIONAL CENTER
IMPROVEMENTS
AMOUNT: \$2,500,000

Shall the City of Avondale, Arizona (the "City") be authorized to incur indebtedness by the issuance of general obligation bonds of the City in the principal amount of \$2,500,000 for the purpose of providing funds to design, construct, equip and furnish an expansion to the City's Community Center, to design, construct, equip and furnish a recreational center, to acquire land by purchase, exercise of the power of eminent domain or any other method by acquisition, for the recreational center and to pay all expenses incidental thereto to any of the foregoing and to the issuance and sale of such general obligation bonds; such general obligation bonds, or any series thereof, to be payable from ad valorem taxes levied upon all of the taxable property in the City; such bonds to mature not more than 20 years from their date, to bear interest at a rate or rates not to exceed 9% per annum and such bonds, or any series thereof, to be issued as current interest bonds with the interest being paid semiannually or as capital appreciation bonds with the interest being accumulated and compounded and payable only at maturity?

FOR THE BONDS / / AGAINST THE BONDS / /

NOTICE TO VOTERS:

The voter shall indicate his vote by inserting the mark "X" in the square opposite the phrase which expresses his choice. Only qualified electors of the City of Avondale, Arizona are eligible to vote at this election.