

RESOLUTION ORDERING AND PROVIDING NOTICE OF A
SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2022,
IN AND FOR LITCHFIELD ELEMENTARY SCHOOL
DISTRICT NO. 79 OF MARICOPA COUNTY, ARIZONA, TO
SUBMIT TO THE QUALIFIED ELECTORS THEREOF THE
QUESTION OF ADOPTING A 2023/2024 (MAINTENANCE
AND OPERATIONS FUND) BUDGET AND SIX
SUBSEQUENT FUTURE BUDGETS WHICH INCLUDE
AMOUNTS THAT EXCEED THE REVENUE CONTROL
LIMIT SPECIFIED BY LAW OF THE DISTRICT AND
RELATED MATTERS

WHEREAS, the needs and best interests of Litchfield Elementary School District No. 79 of Maricopa County, Arizona (the "District"), will be served by providing for the continuation of an override to exceed the revenue control limit specified by law of the District for fiscal year 2023/2024 and thereafter for the next six subsequent fiscal years; and

WHEREAS, the provisions of Title 15, Chapter 4, Article 4, Arizona Revised Statutes require that a special election be held in and for the District to submit to the qualified electors thereof the question of authorizing the District to adopt a budget that exceeds the aggregate budget limit for such budget years;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79 OF MARICOPA COUNTY, ARIZONA, THAT:

Section 1. (A) A special election in and for the District be, and the same is hereby, ordered and called to be held on November 8, 2022 (the "Election"), a day not less than ninety (90) days after the date of the adoption of this Resolution, at which there shall be submitted to the qualified electors thereof the question of adopting a 2023/2024 (Maintenance and Operations Fund) Budget which includes an amount that exceeds the applicable revenue control limit specified by statute for fiscal year 2023/2024 and for the next subsequent six (6) fiscal years thereafter for purposes of Section 15-481, Arizona Revised Statutes, in amounts equal to as much as fifteen percent (15%) of the applicable revenue control limit of the District in years one through five, such percentage of the District's allowable revenue control limit multiplied by 2/3 in year six, and such percentage of the District's allowable revenue control limit multiplied by 1/3 in year seven. The Superintendent of the District and the Executive Director of Finance of the District are authorized and directed to complete the budget estimate and insert the appropriate dollar amount and tax rate in the hereinafter described Official Ballot.

(B) The Governing Board of the District hereby establishes the election precincts which, except as otherwise provided by appropriate authorities of Maricopa County, Arizona (the "County"), have the same boundaries as the County election precincts as provided in Section 16-411, Arizona Revised Statutes, as amended. The Governing Board of the District hereby orders the consolidation of any precincts indicated by such authorities for such purposes.

Section 2. The official ballot for the Election (the “Official Ballot”) shall be in substantially the form attached hereto and marked Exhibit A modified to reflect the delegation described in Section 1.

Section 3. (A) Notice of the Election shall be given by the School Superintendent of the County preparing an informational pamphlet in the form attached hereto and marked Exhibit B (the “Informational Pamphlet”) and a sample of the Official Ballot and transmitting the Informational Pamphlet and the Official Ballot to the Governing Board of the District at least forty (40) days before the Election. The Governing Board of the District, upon receipt of the Informational Pamphlet and the Official Ballot, with such changes therein as are approved by the Superintendent of the District and the Executive Director of Finance of the District to each of whom such authority is hereby delegated, shall mail or distribute the Informational Pamphlet and the Official Ballot to the households in which qualified electors reside within the District at least thirty-five (35) days before the date of the Election. The Informational Pamphlet may be included with other, similar reports or pamphlets to be mailed for the same election.

(B) The Superintendent of the District 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 (the “Request Notice”). The Governing Board of the District hereby publicly declares that the deadline for submitting arguments is August 12, 2022, at 5:00 p.m., Arizona Time. The deadline for submitting arguments shall be posted immediately in a prominent location on the District’s website. The Informational Pamphlet shall be prepared by the School Superintendent of the County, and the School Superintendent of the County is hereby requested, authorized and directed to cause the Informational Pamphlet to be provided as and under the circumstances described herein.

(C) The Election shall also be ordered and called and notice thereof given by posting copies of a notice in at least three public places in the District including the schools of the District at least ninety (90) days prior to the date of the Election. The Superintendent of the District is hereby authorized and directed to cause notices for such purposes to be posted according to law and to the provisions of this Resolution. Such notices shall be substantially in the form attached hereto and marked Exhibit D (the “Election Notice”).

Section 4. The President of the Governing Board of the District or any other member of the Governing Board of the District if such President is not available is hereby authorized and directed, if necessary, to have printed and delivered to the election officials for the Election at the polling places for the Election, to be by them furnished to the qualified electors of the District offering to vote at the Election, the Official Ballot.

Section 5. 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: Informational Pamphlet, Official Ballot, Request Notice, Election Notice, “Absentee/Early Voting Materials” and “Instructions at the Polling Places.”

Section 6. (A) The Election shall be held, conducted and canvassed in conformity with the provisions of the 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 District. 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.

(B) 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 District by the Elections Department of the County and the Superintendent of the District and the Executive Director of Finance of the District. The Superintendent of the District and the Executive Director of Finance of the District are authorized and directed to take all actions, including entering 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 District. The Superintendent of the District shall coordinate with the School Superintendent of the County to designate a location for purposes of replacing ballots that have been lost, spoiled, destroyed or not received by the elector.

(C) All expenditures as may be necessary to order, notice, hold and administer the Election are hereby authorized, which expenditures shall be paid from current operating funds of the District.

(D) The Superintendent of the District and the Executive Director of Finance of the District are hereby authorized to take all necessary action to facilitate the Election including all such actions as are necessary to assist the School Superintendent of the County and the Elections Department of the County in conducting the Election and performing their duties.

PASSED, ADOPTED AND APPROVED by the Governing Board of Litchfield Elementary School District No. 79 of Maricopa County, Arizona, on May 10, 2022.


.....
President of the Governing Board of Litchfield
Elementary School District No. 79 of Maricopa
County, Arizona

EXHIBIT A

OFFICIAL BALLOT

Shall the Governing Board of Litchfield Elementary School District No. 79 of Maricopa County, Arizona (the “School District”), adopt maintenance and operations budgets which allow the School District to continue to exceed the revenue control limit specified by law in the amount of not more than fifteen percent (15%) per fiscal year for fiscal year 2023/2024 and the next subsequent six (6) fiscal years thereafter?

The 2023/2024 proposed continuation of the budget increase of the School District budget will exceed the alternate proposed School District budget by approximately \$3,350,896. The amount of the proposed increase will be based on a percentage of the School District’s revenue control limit in future years as provided in Section 15-481(P), 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 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 \$0.82 per \$100 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 Elections Department of the County, 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 Litchfield Elementary School District Governing Board to continue/extend the existing maintenance and operation budget override authority and the resulting tax.

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

EXHIBIT B
INFORMATIONAL PAMPHLET

LITCHFIELD ELEMENTARY SCHOOL
DISTRICT NO. 79
OF
MARICOPA COUNTY, ARIZONA

**INFORMATIONAL PAMPHLET
AND
SAMPLE BALLOT**

SPECIAL OVERRIDE ELECTION
NOVEMBER 8, 2022

Prepared by
Steve Watson,
Maricopa County School Superintendent

**TO THE VOTERS OF LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79 OF
MARICOPA COUNTY, ARIZONA:**

[INSERT FROM COUNTY SUPERINTENDENT]

**INFORMATIONAL PAMPHLET
FOR
LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79
OF MARICOPA COUNTY, ARIZONA
SPECIAL OVERRIDE ELECTION
NOVEMBER 8, 2022**

On May 10, 2022, the Governing Board of the District (the “Governing Board”) passed and adopted a resolution calling a special override election (the “Election”) to authorize the Override. A copy of such resolution is available from the District by written request to the Superintendent, Litchfield Elementary School District No. 79 of Maricopa County, Arizona, 272 East Sagebrush Street, Litchfield Park, Arizona 85340, Telephone (623) 535-6000.

The proposed continuation of the override in the budget of the District that exceeds the amount allowed pursuant to Section 15-905, Arizona Revised Statutes, will be not to exceed the otherwise allowable revenue control limit by more than fifteen percent.

The proposed fifteen percent override authorization is a continuation of the District’s current fifteen percent override authorization approved by the voters in the District on November 7, 2017. The District’s current fifteen percent override authorization is required by law to be reduced by one-third in each of fiscal years 2023/2024 and 2024/2025.

The total amount of the current year’s budget, the total amount of the proposed budget and the total amount of the alternate budget are as follows:

Current Year’s Maintenance and Operation Budget (2022/2023)	\$84,339,988
Proposed Maintenance and Operation Budget (2023/2024)	\$88,725,667
Alternate Maintenance and Operation Budget (2023/2024)	\$85,374,771

The proposed continuation of the override in the budget would be in effect for seven years and would allow the revenue control limit to be exceeded by not more than fifteen percent.

The proposed total amount of revenues that will fund the continuation of the override in the budget and the amount that will be obtained from a levy of taxes on the taxable property within the District for the first year for which the budget increase was adopted is \$10,052,689.

None of the proposed amount of revenues that will fund the continuation of the override in the budget will be obtained from other than a levy of taxes on the taxable property within the District.

The dollar amount for the first year for which the budget continuation was adopted is \$10,052,689, and the purpose for which the proposed continuation of the increase in the budget is to be expended for the first year for which the budget continuation was adopted are as follows:

- recruit and retain effective teachers and staff;
- maintain a nurse at each school;
- maintain teacher and staff pay;
- maintain special area programs such as physical education, music, band, art;
- maintain athletic programs; and
- maintain focus intervention programs such as reading specialists, intervention specialists, instructional coaches, behavior coaches, student advisors.

The alternate budget shall be adopted by the Governing Board of the District if the proposed budget is not adopted by the qualified electors of the District. In adopting such alternate budget, the Governing Board shall follow the procedures prescribed in Section 15-905, Arizona Revised Statutes, for adopting a budget that does not include the proposed increase.

LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79
OF MARICOPA COUNTY, ARIZONA
15% MAINTENANCE AND OPERATIONS BUDGET OVERRIDE ELECTION
NET ASSESSED VALUATION, TAX RATE AND ESTIMATED AMOUNTS OF SECONDARY PROPERTY TAXES

Estimated Revenues to fund 15% M&O Budget Override

Net Assessed Valuation for Tax Purposes (a)

Estimated Tax Rate per \$100 of Assessed Valuation to fund 15% M&O Budget Override

\$10,052,689
\$1,226,791,462
\$0.8194

	Limited Property Value	Assessment Ratio	Assessed Valuation (b)	Estimated Override Tax Rate (c)	Estimated Annual Tax Amount
A.R.S. § 15-481B-11					
The current limited property value, the net assessed valuation and the estimated amount of the secondary property taxes if the proposed budget is adopted for each of the following:					
A.R.S. § 15-481B-11(a)					
An owner-occupied residence whose assessed valuation is the average assessed valuation of property classified as class three, as prescribed by A.R.S. § 42-12003 for the current year in the school district.					
	\$245,520	10.0%	\$24,552	\$0.8194	\$201.18
A.R.S. § 15-481B-11(b)					
An owner-occupied residence whose assessed valuation is one-half of the assessed valuation of the residence in A.R.S. § 15-481B-11(a).					
	\$122,760	10.0%	\$12,276	\$0.8194	\$100.59
A.R.S. § 15-481B-11(c)					
An owner-occupied residence whose assessed valuation is twice the assessed valuation of the residence in A.R.S. § 15-481B-11(a).					
	\$491,040	10.0%	\$49,104	\$0.8194	\$402.36
A.R.S. § 15-481B-11(d)					
A business whose assessed valuation is the average of the assessed valuation of property classified as class one as prescribed by A.R.S. § 42-12001, paragraphs 12 and 13, for the current year in the school district.					
	\$1,714,760	17.5%	\$300,083	\$0.8194	\$2,458.88
An owner-occupied residence whose assessed valuation is \$100,000.					
	\$100,000	10.0%	\$10,000	\$0.8194	\$81.94

-
- (a) Net assessed valuation is the 2022/2023 preliminary value provided by the Arizona Department of Revenue and includes Salt River Project in-lieu property value.
(b) Estimated by Arizona Department of Revenue based on preliminary 2022/2023 assessed values.
(c) Per \$100 of assessed valuation.

FREQUENTLY ASKED QUESTIONS:

The District currently has funding from a 15% M&O (maintenance and operation) override. Voters approved this override in 2017. If approved, the 15% override which is the subject of the Election would continue the 15% override currently in place.

Q: Is the override a tax increase?

A: No. The override is not a tax increase – it would be a continuation of local funding that our schools have had in place for more than 20 years.

Q: What is a special budget override?

A: Arizona state law limits school district budgets. With voter approval, State law allows a school district to override or exceed its school operating budget by up to 15%. The District plans to add this funding to its M&O budget limit used primarily for salaries, employer benefit expense, utilities, classroom supplies, and all other items that are ‘consumed or used up’ during the course of teaching and learning.

Q: Why is the District asking voters to renew its override?

A: The Board believes the override allows the District to offer competitive salaries and attract highly qualified staff. The budget override has assisted the District in maintaining our student-teacher ratio at 19.8:1. The District has focus intervention programs beyond the classroom (i.e., reading specialists, intervention specialists, instructional coaches, behavior coaches, student advisors). We would like to continue these support services for students.

Q: How will the override funds be used?

A: The override funds will be used for the following:

- recruit and retain effective teachers and staff;
- maintain a nurse at each school;
- maintain teacher and staff pay;
- maintain special area programs such as physical education, music, band, art;
- maintain athletic programs; and
- maintain focus intervention programs (reading specialists, intervention specialists, instructional coaches, behavior coaches, student advisors).

Q: What is the District’s history of overrides?

A: The District has had an override in place for more than 20 years.

Q: What is that tax rate impact?

A: Per A.R.S. § 15-481(C) the tax rate paid expected to fund the override in the first year is approximately \$0.82 per \$100 of net limited assessed property value. This rate is approximately equal to the current tax rate for the existing override. Because of the property value growth associated with new homes and businesses in the area, this tax rate has declined in the past couple of years.

Q: How long is the override in effect?

A: The District's M&O budget override election provides funding to the District for seven years. Voters may be asked to reauthorize the override by the fifth year or the District will receive reduced funding in year six and a further reduction of funding in year seven. After year seven, the override expires and funding is reduced to zero.

Q: What happens if the M&O budget override is not approved?

A: If the override continuation is not approved, the District would have to phase out this funding by one-third starting in fiscal year 2023/2024, two-thirds in fiscal year 2024/2025, and fully eliminate the funding in fiscal year 2025/2026. An estimated cut of \$3,350,896 in fiscal year 2023/2024, an additional estimated cut of \$3,350,896 in fiscal year 2024/2025 and an additional estimated cut of \$3,350,896 in fiscal year 2025/2026.

ARGUMENTS FOR AND AGAINST THE OVERRIDE

[INSERT FROM COUNTY SUPERINTENDENT]

OTHER IMPORTANT VOTER INFORMATION

[INSERT FROM COUNTY SUPERINTENDENT]

FORM OF OFFICIAL BALLOT

[INSERT BALLOT QUESTION]

Litchfield Elementary School District No. 79
of Maricopa County, Arizona
272 East Sagebrush Street
Litchfield Park, Arizona 85340

Non-Profit Org. U.S.
Postage Paid
....., Arizona
Permit No.

OFFICIAL VOTING MATERIAL

Only one Voter Information Pamphlet
has been mailed to each household
within the District in which qualified
electors reside. Please make it
available to all qualified electors in the
household.

YOUR POLLING PLACE IS
INDICATED ON LABEL

EXHIBIT C

FORM OF REQUEST NOTICE

REQUEST FOR ARGUMENTS FOR AND AGAINST THE PROPOSED INCREASE IN THE 2023/2024 AND SUBSEQUENT FISCAL YEARS BUDGETS TO BE CONSIDERED BY THE VOTERS OF LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79 OF MARICOPA COUNTY, ARIZONA, AT AN ELECTION TO BE HELD ON NOVEMBER 8, 2022

Pursuant to a resolution adopted by the Governing Board of Litchfield Elementary School District No. 79 of Maricopa County, Arizona (the "District"), on May 10, 2022 (the "Resolution"), a special election in and for the District was ordered and called to be held on November 8, 2022 (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 an override to continue to exceed the otherwise allowable revenue control limit for the District by 15% for fiscal year 2023/2024 and thereafter for the next six subsequent fiscal years to be funded from ad valorem property taxes. The estimated tax rate to fund the continued override in fiscal year 2023/2024 is \$0.82 per \$100 of net assessed valuation used for secondary property tax purposes. (The text of the question to be considered at the Election is included in the Resolution which is available at the Office of the Superintendent of the District, 272 East Sagebrush Street, Litchfield Park, Arizona 85340.) The arguments shall be in a form prescribed by the County School Superintendent of Maricopa County, Arizona, and each such argument shall not exceed two hundred words. The arguments shall be provided in writing. If the argument is submitted by an organization, it shall contain the sworn statement of two executive officers of the organization. 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 names of persons and entities submitting written arguments shall be included in the informational pamphlet. Persons signing the argument shall identify themselves by giving their residence address and telephone number, which may not appear in the informational pamphlet, except that the person's city or town and state of residence shall appear in the informational pamphlet. Any argument that is submitted and that does not comply with the foregoing may not be included in the informational pamphlet. The County School Superintendent shall review all factual statements contained in the written arguments and correct any inaccurate statements of fact. The County School Superintendent shall not review and correct any portion of such written arguments which are identified as statements of the author's opinion. The County School Superintendent shall make the written arguments available to the public as provided by law. Any person interested in providing any such argument is hereby requested to provide the same to the County School Superintendent of Maricopa County, Arizona, at Suite 1200, 4041 North Central Avenue, Phoenix, Arizona 85012, before 5:00 p.m., Arizona time on August 12, 2022.

/s/ Ms. Jodi Gunning
.....
Superintendent, Litchfield Elementary School
District No. 79 of Maricopa County, Arizona

This Request (along with Spanish translation thereof) should be posted at all places at which notices of meetings of the Governing Board of the District are posted.

EXHIBIT D

FORM OF ELECTION NOTICE

NOTICE OF ORDER AND CALL OF MAINTENANCE AND OPERATIONS FUND
BUDGET REVENUE CONTROL LIMIT
OVERRIDE ELECTION FOR
LITCHFIELD ELEMENTARY SCHOOL DISTRICT NO. 79
OF MARICOPA COUNTY, ARIZONA

TO THE QUALIFIED ELECTORS OF LITCHFIELD ELEMENTARY SCHOOL DISTRICT
NO. 79 OF MARICOPA COUNTY, ARIZONA:

A budget override question will be included on the ballot for the special election to be held on November 8, 2022 (the “Election”). The purpose of the Election is to permit qualified electors of Litchfield Elementary School District No. 79 of Maricopa County, Arizona (the “District”), to vote specifically on the following question:

Shall the Governing Board of Litchfield Elementary School District No. 79 of Maricopa County, Arizona (the “School District”), adopt maintenance and operations budgets which allow the School District to continue to exceed the revenue control limit specified by law in the amount of not more than fifteen percent (15%) per fiscal year for fiscal year 2023/2024 and the next subsequent six (6) fiscal years thereafter?

The 2023/2024 proposed continuation of the budget increase of the School District budget will exceed the alternate proposed School District budget by approximately \$3,350,896. The amount of the proposed increase will be based on a percentage of the School District’s revenue control limit in future years as provided in Section 15-481(P), 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 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 \$0.82 per \$100 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 ☐

The Election will be held at the polling places for the precincts indicated in the Informational Pamphlet to be mailed to the residence of each registered voter in the District not less than thirty five (35) days before the date of the Election which shall be open at 6:00 a.m. and close at 7:00 p.m. Early/absentee voting shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, and early/absentee voting information may

be obtained by contacting the Maricopa County Elections Department, 111 South Third Avenue, Phoenix, Arizona 85003, telephone number: (602) 506-3535.

GOVERNING BOARD, LITCHFIELD
ELEMENTARY SCHOOL DISTRICT NO. 79
OF MARICOPA COUNTY, ARIZONA