



MEMORANDUM

Date: January 26, 2012

To: Chairman and Members
Pima County Bond Advisory Committee

From: C.H. Huckelberry
County Administrator 

Re: **House Bill 2656**

I previously communicated with the Bond Advisory Committee (BAC) regarding Representative Terri Proud's proposed legislation, House Bill (HB) 2656, in my January 20, 2012 memorandum to you (Attachment 1). The *Arizona Daily Star's* January 21, 2012 article regarding HB 2656 is also attached to this memorandum (Attachment 2).

Comments in the article made by Representative Proud, as well as by Senator Frank Antenori, require fact checking, since the comments demonstrate a significant lack of understanding regarding the operation of the Pima County Bond Program. Below are several quotes from the *Star* article, followed by the facts:

Legislation Based on Grossly Inaccurate Information

1. **Quote:** *"The plan by Rep. Terri Proud, R-Tucson, said there have been abuses where voters think they're approving funding for one set of projects only to have that essentially rewritten by County Administrator Chuck Huckelberry."*

Response: This statement is false. A review of the BAC's semiannual reports, which are posted at <http://www.bonds.pima.gov/> and available to everyone, would reveal the gross inaccuracy of this statement. Nearly two-thirds of the projects approved by voters in the 2004 and 2006 general obligation bond elections have been completed (Attachment 3). Of those that have been completed, almost all were completed as originally intended. Two were retired; one at the request of the Town of Oro Valley. The other involved a landowner unwilling to sell open space property. The remaining projects are either under construction, under development or planned for the future. The 2004 bond program, as approved by voters, is a 12-year program with projects scheduled through 2016. There has not been, nor will there be, any substantial deviation.

2. **Quote:** *"...the majority of a new six-member board consisting of one county representative and one representative of each incorporated city within the county."*

Response: This representation ignores the broad diversity of membership of the BAC, which consists of 25 members. These nonpartisan members act on behalf of every resident and taxpayer within the County, regardless of jurisdictional location. The BAC includes all five jurisdictions and the two Indian Nations. Attachment 4 is a map illustrating the residential or business locations for BAC members.

3. Quote: *"Proud acknowledged that would allow the smaller communities to band together to blackmail the rest of the county."*

Response: I do not believe the smaller communities have any intent or desire to blackmail the rest of the County. While we have had our differences with the Town of Marana over wastewater, I do not believe other communities harbor ill will toward the County or the balance of residents who live within the County.

The County will not be blackmailed into having another bond issue if HB 2656 passes. It simply means there will be no future County bond issues or elections.

4. Quote: *"Proud, however, said she sees nothing wrong with giving an equal vote to each community, regardless of size."*

Response: Presently, on the BAC, each community has an equal vote, regardless of size. Substantial resident and citizen interest and representation in formulating future bond programs is also included. This overall citizen and resident interest and input is far more balanced and inclusive than to inequitably weight individual desires of a particular jurisdiction.

Accountability and Transparency Provided Today

The legislation also discusses at length an audit, **accountability** and **transparency**. Attachment 5 is a parallel analysis of the legislation and the existing BAC process for transparency and accountability. It is clear the items listed in the proposed legislation are already being done in a more appropriate fashion and have been performed continuously on a semiannual basis during the continuous oversight of the bond program provided by the BAC. Pima County has a highly efficient and effective bond advisory process, truth in bonding ordinance and bond adoption process that has been regularly and overwhelmingly supported by the residents of this community. The proposed legislation undermines and undoes what works extremely well and is not broken.

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Legislative Disregard for the Unincorporated Population

Finally, HB 2656 promotes blatant disregard for the unincorporated residents of Pima County. This complete disregard of the legislation for the unincorporated population of Pima County that pays the greatest share of County bond indebtedness is inappropriate.

Ironically, in all the sponsors' present legislative districts, the majority of the populations consist of unincorporated voters who will be disenfranchised by this bill. Representative Proud's present district population is 33.5 percent incorporated versus 66.5 percent unincorporated.

Senator Antenori has a representation of 44.1 percent incorporated and 55.9 percent unincorporated within Pima County.

Representative Williams has a representation of 33.5 percent incorporated and 66.5 percent unincorporated in his legislative district. If Representative Williams chooses to run for District One of the Board of Supervisors, his future District One Board of Supervisor constituents are 28.7 percent incorporated and 71.3 percent unincorporated.

Representative Ted Vogt's legislative district is 44.1 percent incorporated and 55.9 percent unincorporated.

Representatives Stevens' and Judd's legislative district is 39 percent incorporated and 61 percent unincorporated.

Poor Legislative Timing for Job Protection and Economic Development

As the BAC knows, we are entering a critical phase for developing a potential economic development and job recovery bond issue for the future. Such a bond issue involves strategic public investments to facilitate preserving our existing job base among our major employers and facilitating significant expansion and improvement of our competitiveness with other states and regions. This legislation, if approved, will effectively destroy this economic development and jobs bond initiative.

CHH/mjk

Attachments

c: The Honorable Chairman and Members, Pima County Board of Supervisors
Martin Willett, Chief Deputy County Administrator
Nicole Fyffe, Executive Assistant to the County Administrator
Diana Durazo, Special Staff Assistant to the County Administrator

ATTACHMENT 1



MEMORANDUM

Date: January 20, 2012

To: Chairman and Members
Pima County Bond Advisory Committee

From: C.H. Huckelberry
County Administrator 

Re: **House Bill 2656 – Creating a Regional Bond Accountability Committee**

Enclosed is a copy of recently introduced legislation, House Bill (HB) 2656, which would apparently supersede the current Pima County Bond Advisory Committee (BAC) and create a committee comprised of one member appointed by the Board of Supervisors, one member appointed by the council of each incorporated city, and one member appointed by the council of each incorporated town. Under present incorporated city and town status, this would mean a committee of six. It appears the Pascua Yaqui Tribe and Tohono O’odham Nation would be excluded from membership.

This substantially limited special-interest committee would be responsible for formulating and must approve any recommendation of future bond issue to the Board of Supervisors before it can be put to a vote by the County electorate.

The population limits established in HB 2656 for such a committee would result in this legislation being applicable only to Pima County and the present BAC.

This proposed committee does not come close to establishing reasonable representation of the electorate or the taxpayers who pay for County bonds. This proposal would essentially disenfranchise 36 percent of the population living in the unincorporated area, who are the taxpayers who pay the most for County bonds. Taxpayers in the unincorporated area represent 43 percent of the total County assessed value – the highest of any city or town (see table below).

Share of County Net Assessed Value (NAV) and Population by Jurisdiction

Jurisdiction	FY 2011/12 Secondary Taxable NAV	% Share of NAV	2010 Population	% Share of Population
City of Tucson	\$3,487,959,628	41.29	520,000	53.04
City of South Tucson	24,687,760	0.29	5,762	0.59
Town of Oro Valley	624,180,464	7.39	40,984	4.18
Town of Marana	454,567,513	5.38	35,051	3.57
Town of Sahuarita	206,283,811	2.44	25,347	2.59
Unincorporated Area	3,650,602,410	43.21	353,319	36.04
Total	\$8,448,281,586	100.00	980,463	100.00

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There are more substantial problems associated with this ill-formulated legislation.

CHH/mjk

Attachment

c: The Honorable Chairman and Members, Pima County Board of Supervisors
Martin Willett, Chief Deputy County Administrator
Nicole Fyffe, Executive Assistant to the County Administrator

REFERENCE TITLE: county bonding; regional committee

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HB 2656

Introduced by
Representatives Proud, Gowan, Judd, Stevens, Williams, Senators Antenori,
Griffin, Smith: Representative Vogt, Senators Melvin, Shooter

AN ACT

AMENDING TITLE 11, CHAPTER 4, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6;
RELATING TO THE REGIONAL BOND ACCOUNTABILITY COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 4, Arizona Revised Statutes, is amended
3 by adding article 6, to read:

4 ARTICLE 6. REGIONAL BOND ACCOUNTABILITY COMMITTEE

5 11-691. Regional bond accountability committee; membership;
6 duties; applicability; definitions

7 A. ANY COUNTY WITH A POPULATION OF AT LEAST NINE HUNDRED THOUSAND
8 PERSONS BUT NOT MORE THAN ONE MILLION FIVE HUNDRED THOUSAND PERSONS SHALL
9 ESTABLISH A REGIONAL BOND ACCOUNTABILITY COMMITTEE CONSISTING OF THE
10 FOLLOWING MEMBERS:

11 1. ONE MEMBER APPOINTED BY THE COUNTY BOARD OF SUPERVISORS, WHO MAY BE
12 A MEMBER OF THE BOARD OF SUPERVISORS.

13 2. ONE MEMBER APPOINTED BY THE CITY COUNCIL OF EACH INCORPORATED CITY
14 IN THE COUNTY, WHO MAY BE A MEMBER OF THE CITY COUNCIL.

15 3. ONE MEMBER APPOINTED BY THE TOWN COUNCIL OF EACH INCORPORATED TOWN
16 IN THE COUNTY, WHO MAY BE A MEMBER OF THE TOWN COUNCIL.

17 B. MEMBERS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SERVE AT THE
18 PLEASURE OF THE GOVERNING BODY THAT APPOINTED THE MEMBER.

19 C. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL SELECT FROM THE
20 COMMITTEE MEMBERSHIP A CHAIRPERSON AND MAY ADOPT ALL RULES AND PROCEDURES
21 NECESSARY OR CONVENIENT FOR THE CONDUCT OF THE COMMITTEE'S BUSINESS.

22 D. ALL MEETINGS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE ARE
23 SUBJECT TO TITLE 38, CHAPTER 3, ARTICLE 3.1.

24 E. ALL WORKING PAPERS AND RECORDS OF THE REGIONAL BOND ACCOUNTABILITY
25 COMMITTEE ARE PUBLIC RECORDS AND SUBJECT TO TITLE 39, CHAPTER 1.

26 F. THE CLERK OF THE COUNTY BOARD OF SUPERVISORS SHALL ACT AS THE CLERK
27 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, AND IS RESPONSIBLE FOR
28 MAINTAINING THE RECORDS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AND
29 PERFORMING ALL REASONABLE ADMINISTRATIVE FUNCTIONS SUPPORTING THE REGIONAL
30 BOND ACCOUNTABILITY COMMITTEE.

31 G. THE COUNTY SHALL PAY ALL REASONABLE ADMINISTRATIVE COSTS AUTHORIZED
32 BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AS NECESSARY FOR THE COMMITTEE
33 TO CARRY OUT ITS FUNCTIONS AS DESCRIBED IN THIS SECTION, INCLUDING FACILITY
34 USAGE FEES, PUBLICATION COSTS, PRINTING COSTS, MILEAGE REIMBURSEMENT FEES,
35 OFFICE EQUIPMENT COSTS, INDEPENDENT AUDITOR FEES AND ATTORNEY FEES.
36 ADMINISTRATIVE COSTS SHALL BE MINIMIZED BY USING EXISTING MEMBER JURISDICTION
37 FACILITIES AND STAFF WHENEVER IT IS REASONABLY FEASIBLE TO DO SO. MEMBER
38 JURISDICTION FACILITIES AND STAFF SHALL BE REIMBURSED AT THE MEMBER
39 JURISDICTION'S ACTUAL COST.

40 H. IN ADDITION TO ANY OTHER REQUIREMENTS OF LAW AND BEFORE ANY
41 REQUIRED VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT
42 ISSUE OR SELL GENERAL OBLIGATION BONDS UNTIL THE FOLLOWING HAS OCCURRED:

43 1. THE BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND
44 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED ALLOCATION OF
45 AMOUNTS AND SPECIFIC PROJECT USES OF THE COUNTY GENERAL OBLIGATION BONDS.

1 2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC
2 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN
3 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER
4 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE
5 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN
6 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

7 3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND
8 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY VOTE OF THE FULL MEMBERSHIP OF
9 THE COMMITTEE, DO ONE OF THE FOLLOWING:

10 (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

11 (b) AUTHORIZE THE COUNTY TO ISSUE OR SELL THE PROPOSED BONDS.

12 (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION
13 OR ADDITIONAL INFORMATION.

14 (d) REJECT THE PROPOSED BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF
15 THE OTHER ACTIONS AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED
16 REJECTED.

17 I. AFTER A GENERAL OBLIGATION BOND HAS BEEN ISSUED OR SOLD OR APPROVED
18 BY A VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT
19 CHANGE THE PROPOSED AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE OR THE
20 SPECIFIC PROJECT USES OF ANY COUNTY GENERAL OBLIGATION BONDS FROM THE AMOUNTS
21 AND USES AUTHORIZED BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE WITHOUT THE
22 PRIOR APPROVAL OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, PURSUANT TO THE
23 FOLLOWING PROCEDURE:

24 1. THE COUNTY BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND
25 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED CHANGES TO THE
26 AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE AND THE SPECIFIC PROJECT USES OF
27 THE COUNTY GENERAL OBLIGATION BONDS. ANY PROPOSED CHANGES TO THE AMOUNTS OR
28 USES OF A COUNTY GENERAL OBLIGATION BOND SHALL BE CONSISTENT WITH THE AMOUNTS
29 AND USES APPROVED IN THE ELECTION AUTHORIZING THE BONDS.

30 2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC
31 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN
32 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER
33 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE
34 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN
35 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

36 3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND
37 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY OF THE FULL MEMBERSHIP OF THE
38 COMMITTEE, DO ONE OF THE FOLLOWING:

39 (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

40 (b) APPROVE THE PROPOSED CHANGES TO THE AMOUNTS ALLOCATED FOR A
41 SPECIFIC PROJECT USE OR SPECIFIC PROJECT USES OF THE GENERAL OBLIGATION
42 BONDS.

43 (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION
44 OR ADDITIONAL INFORMATION.

1 (d) REJECT THE PROPOSED CHANGES TO THE AMOUNTS OR USES OF THE GENERAL
2 OBLIGATION BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF THE OTHER ACTIONS
3 AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED REJECTED.

4 J. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF
5 THE COUNTY'S BOND PROGRAM AT ANY TIME BY MAJORITY VOTE OF THE FULL MEMBERSHIP
6 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, THE COSTS OF WHICH SHALL BE
7 PAID BY THE COUNTY PURSUANT TO SUBSECTION G OF THIS SECTION.

8 K. THE GOVERNING BODY OF ANY JURISDICTION REPRESENTED ON THE REGIONAL
9 BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF THE COUNTY'S BOND PROGRAM
10 AT ANY TIME BY ADOPTING A RESOLUTION ORDERING AND COMMITTING TO PAY ALL COSTS
11 OF THE AUDIT.

12 L. FOR THE PURPOSES OF THIS SECTION, A CITY OR TOWN IS CONSIDERED TO
13 BE IN THE COUNTY IF ANY PORTION OF ITS JURISDICTIONAL LIMITS IS LOCATED IN
14 THE COUNTY.

15 M. FOR THE PURPOSES OF THIS SECTION:

16 1. "AN AUDIT OF THE COUNTY'S BOND PROGRAM" MEANS AN AUDIT EXAMINING
17 THE USES OF ALL PROCEEDS OF ALL COUNTY GENERAL OBLIGATION BONDS THAT ARE NOT
18 FULLY REDEEMED ON THE DATE THE AUDIT IS ORDERED.

19 2. "GENERAL OBLIGATION BONDS" MEANS ALL BONDS, OBLIGATIONS OR OTHER
20 INDEBTEDNESS FOR WHICH THE FULL FAITH AND CREDIT OF THE COUNTY ARE PLEDGED AS
21 A SOURCE OF REPAYMENT.

22 N. NOTHING IN THIS SECTION AUTHORIZES A COUNTY OR THE REGIONAL BOND
23 ACCOUNTABILITY COMMITTEE TO CHANGE THE TOTAL AMOUNT OR GENERAL USE OF ANY
24 GENERAL OBLIGATION BOND APPROVED BY A VOTE OF THE QUALIFIED ELECTORS OF THE
25 COUNTY.

ATTACHMENT 2



Panel would let 3 towns veto county bonds

Howard Fischer Capitol Media Services | Posted: Saturday, January 21, 2012 12:00 am

PHOENIX - Republican lawmakers from Southern Arizona are proposing a new authority that would give Marana, Oro Valley and Sahuarita, together, veto power over new borrowing for roads and other projects in Pima County.

The plan by Rep. Terri Proud, R-Tucson, said there have been abuses where voters think they're approving funding for one set of projects only to have that essentially rewritten by County Administrator Chuck Huckelberry. While the final decision ultimately rests with the county Board of Supervisors, Proud described Huckelberry as a "dictator." 1

But HB 2656 would bar the county from even seeking voter approval for new bonds without first getting the OK from the majority of a new six-member board consisting of one county representative and one representative of each incorporated city within the county. 2

That means it would take four votes for any project to proceed, allowing any three representatives to block new bonds.

The new board would also have to approve any changes in bond spending.

Proud acknowledged that would allow the smaller communities to band together to blackmail the rest of the county, holding up an election until they got funding for their own pet projects. 3

But she said that's no different from what Huckelberry is doing.

"He's manipulating, he's putting fear, he's saying, 'I'm going to tell you what you can and cannot do,'" Proud said.

"If he doesn't want something built in Marana he can threaten to withhold their water," she continued. "If he wasn't being such a dictator, we wouldn't even be having this discussion."

Huckelberry had a different take on the move.

"It is, frankly, the tyranny of the minority, a very small group to influence and take control of the process," he said.

Figures prepared by Huckelberry show Tucson has more than 53 percent of the population, with the value of property in the city making up more than 41 percent of the county's assessed valuation. That latter figure is significant because the responsibility for bond repayment is based on each area's valuation.

By contrast, South Tucson's share of both figures is less than 1 percent, and Sahuarita has close to 2.5 percent of the county's population and assessed valuation.

Marana makes up close to 3.6 percent of the population and 5.4 percent of the valuation; the comparable figures for Oro Valley are 4.2 percent and 7.4 percent.

Proud, however, said she sees nothing wrong with giving an equal vote to each community, regardless of size. 4

"They're part of the county," she said. "It's going to affect those taxpayers as much as it affects someone else."

Huckelberry also said the legislation is a solution in search of a problem. He said there already is a 30-member advisory committee that reviews bond projects, which is appointed by the supervisors and all the other jurisdictions.

He also denied there are wholesale changes going on after a bond is approved.

"We build what we say we're going to," Huckelberry said.

He acknowledged changes are sometimes necessary: A bond may authorize widening a specific road from Point A to Point B, but when that project is complete it creates a bottleneck that requires more bond spending to correct.

He said changes are largely the result of "things that cannot be anticipated at the time you actually design and have voter approval," Huckelberry said. "Some of these projects and programs are designed to be 12 years in length, meaning they just don't all get done the day the voters approve a bond project."

All of the sponsors of the legislation, like Proud, are Republicans. Sen. Frank Antenori, R-Tucson, one of the sponsors, acknowledged there is a partisan element.

"You have Republican bedroom communities that are being punished, literally punished, by the county and the Democrat stronghold of Tucson who are upset that these Republican bedroom communities are sucking people and businesses out of Tucson and into their communities," he said.

Huckelberry said the legislation comes at a particularly bad time because county officials are weighing a \$200 million bond project to create high-speed roads linking employment centers like Raytheon Missile Systems, the University of Arizona and Davis-Monthan Air Force Base.

"This bill would kill a future bond issue," he said.

On StarNet: Go to azstarnet.com/news/local/govt-and-politics to read more about local and state government and political news.

ATTACHMENT 3

2004 Pima County Bond Program Status Update

January 24, 2012

Question 1: Open Space and Habitat Protection

• Community Open Space Parcels	Completed
• Jurisdictional Open Space	Under Development
• Davis-Monthan Open Space	Completed
• Habitat Protection Priorities	Completed

Question 2: Public Health and Community Facilities

Public Health Facilities

1 FM2.01	Kino Public Health Center	Completed
2 FM2.02A	New Psychiatric Hospital (2004 & 2006 Auth.)	Completed
3 FM2.03	Theresa Lee Health Clinic & TB Relocation	Under Construction

Other Public Facilities

4 FM2.04	Animal Care Center	Completed
5 FM2.05	Roy Place Commercial Bldg. Restoration	Completed
6 FM2.06	Green Valley Performing Arts Center Phase 2	Completed
7 FM2.07	Mt. Lemmon Community Center	Completed
8 FM2.08	Amado Food Bank Kitchen	Completed

Neighborhood and Housing Reinvestment

* NR2.09	Neighborhood Reinvestment	Under Construction
* HR2.10	Affordable Housing Programs	Under Construction

Ina Road Tire Facility Relocation

9 SW2.11	Ina Road Tire Facility Relocation	Completed
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County-Owned Museums

10 FM2.12	AZ Sonora Desert Museum - Auditorium	Completed
11 FM2.13	AZ Sonora Desert Museum - Gray Water	Under Development
12 FM2.14	Pima Air and Space Museum - Hangar #1	Completed

Question 3: Public Safety and Justice Facilities

13 SD3.01	Regional Public Safety Communications Net.	Under Construction
14 FM3.02	Justice Court/COT Municipal Court Complex	Under Development
15 FM3.03	Rehabilitation of Old Courthouse	Future
16 FM3.04	Corrections Jail Security Project	Completed
17 FM3.05	Interagency Victim Advocacy Center	Completed
18 FM3.06	Juvenile Court Build-Out	Completed

Question 4: Parks and Recreational Facilities

19 CR4.01	Empirita Ranch Buildings Rehabilitation	Completed
20 CR4.02	Canoa Ranch Buildings Rehabilitation	Under Construction
21 CR4.03	Juan Bautista de Anza National Historic Trail	Under Construction
22 CR4.04	Fort Lowell Acquisition & San Pedro Chapel	Under Construction
23 CR4.05	Helvetia Townsite Acquisition	Retired
24 CR4.06	Steam Pump Ranch Rehabilitation	Completed
25 CR4.07	Binghampton Historic Buildings Rehabilitation	Completed
26 CR4.08	Marana Mound Community Site	Retired
27 CR4.09	Dakota Wash Site Acquisition	Completed
28 CR4.10	Coyote Mountains Site Acquisition	Completed
29 CR4.11	Honey Bee Village Site Acquisition	Under Construction
30 CR4.12	Performing Arts Center Rehabilitation	Completed
31 CR4.13	Tumamoc Hill Acquisition	Completed
32 CR4.14	Los Morteros Preservation	Completed
33 CR4.15	Pantano Townsite Preservation	Under Construction
34 CR4.16	Ajo Curley School Art Institute	Under Development
35 CR4.17	Dunbar School	Completed

Pima County Parks

36 PR4.18	Flowing Wells Community Center	Completed
37 PR4.19	Southeast Regional Park/Shooting Range	Under Construction
* PR4.20	Lighting of Existing and New Sports	Under Construction
38 PR4.21	Curtis Park - Flowing Wells East	Completed
39 PR4.22	Catalina Community Park	Under Development
40 PR4.23	Dan Felix Memorial Park	Completed
41 PR4.24	Brandi Fenton Memorial Riverbend Park	Completed
42 PR4.25	George Mehl Family Memorial Park	Completed
43 PR4.26	Rillito Race Track	Completed
44 PR4.27	Kino Public Sports Field Lighting	Completed
45 PR4.28	Feliz Paseos Universal Access Park	Completed
46 PR4.29	Picture Rocks Pool	Completed

Question 4: Parks and Recreational Facilities (con't)

City of Tucson Parks

47 PR4.30	Eastside Sports Complex and Senior Center	Under Construction
48 PR4.31	Northside Community Center	Under Development
49 PR4.32	Southeast Community Park	Under Development
50 PR4.33	Houghton Greenway	Under Construction
51 PR4.34	Julian Wash Linear Park	Completed
52 PR4.35	Arroyo Chico Wash Improvements	Under Development
53 PR4.36	Atturbury Wash Sanctuary	Under Construction
54 PR4.37	Pantano River Park	Completed
55 PR4.38	Rio Vista Natural Resource Park	Completed

Town of Marana Parks

56 PR4.39	Cultural and Heritage Park	Completed
57 PR4.40	Tortolita Trail System	Under Construction

Town of Sahuarita Parks

58 PR4.41	Anamax Park Multi-Use Ball Field	Completed
59 PR4.42	Bicycle Lane on Sahuarita Road	Under Construction

Town of Oro Valley Parks

60 PR4.43	Naranja Town Site Park	Retired
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Libraries

61 FM4.44	Marana Continental Ranch New Library	Completed
62 FM4.45	Oro Valley Public Library Expansion	Completed
63 FM4.46	Wilmot Branch Library Replacement or Reloc.	Completed

Question 5: River Parks and Flood Control Improvements

Floodprone and Riparian Land Acquisition

* FC5.01	Floodprone and Riparian Land Acquisition	Under Construction
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Urban Drainage Infrastructure Program

* FC5.02	Urban Drainage Infrastructure Program	Completed
64 FC5.03	City of South Tucson Urban Drainage	Under Construction

Tribal Drainage Improvements

65 FC5.04	Tohono O'Odham Nation Drainage Improvements	Under Development
66 FC5.05	Pascua Yaqui Tribe Black Wash F.C. Improvements	Under Construction

River Parks and Flood Control

67 FC5.06	Santa Cruz River, Ajo to 29th Street	Under Development
68 FC5.07	Santa Cruz River, Grant Road to Camino del Cerro	Under Construction
69 FC5.08	Rillito River Linear Park Completion	Completed
70 FC5.09	Santa Cruz River in Vicinity of Continental Ranch	Completed
71 FC5.10	CDO River Park, Thornydale Road to Magee Road	Under Construction

Question 6: Sewer System Revenue Bonds

Rehabilitation and Repair

72 SS6.01	Roger Road WWTP Rehabilitation	Completed
* SS6.02	Misc. Conveyance Rehabilitation Projects	Completed

Augmentation / Addition of Conveyance Capacity

73 SS6.03	Santa Cruz Interceptor, Prince to Franklin	Completed
74 SS6.04	Roger Road WWTP to Ina Road WPCF Interconnect	Completed
75 SS6.05	Tanque Verde Interceptor: Craycroft Road to Tucson Country Club (Phase 2)	Retired
76 SS6.06	Marana Regional Airport Sewer Connection	Retired

Enhanced Processing-Regulatory Compliance, Ina Road WPCF

77 SS6.07	Ina Road WPCF Denitrification	Completed
78 SS6.08	Ina Road WPCF Central Plant & Electrical Upgrade	Retired
79 SS6.09	Ina Road WPCF Laboratory and Office Building	Retired

System Treatment Capacity

80 SS6.10	New Marana WWTP Expansion	Completed
81 SS6.11	Avra Valley BNRD Expansion	Completed
82 SS6.12	Mt. Lemmon Sewer System	Completed

* Countywide Projects, not shown on map

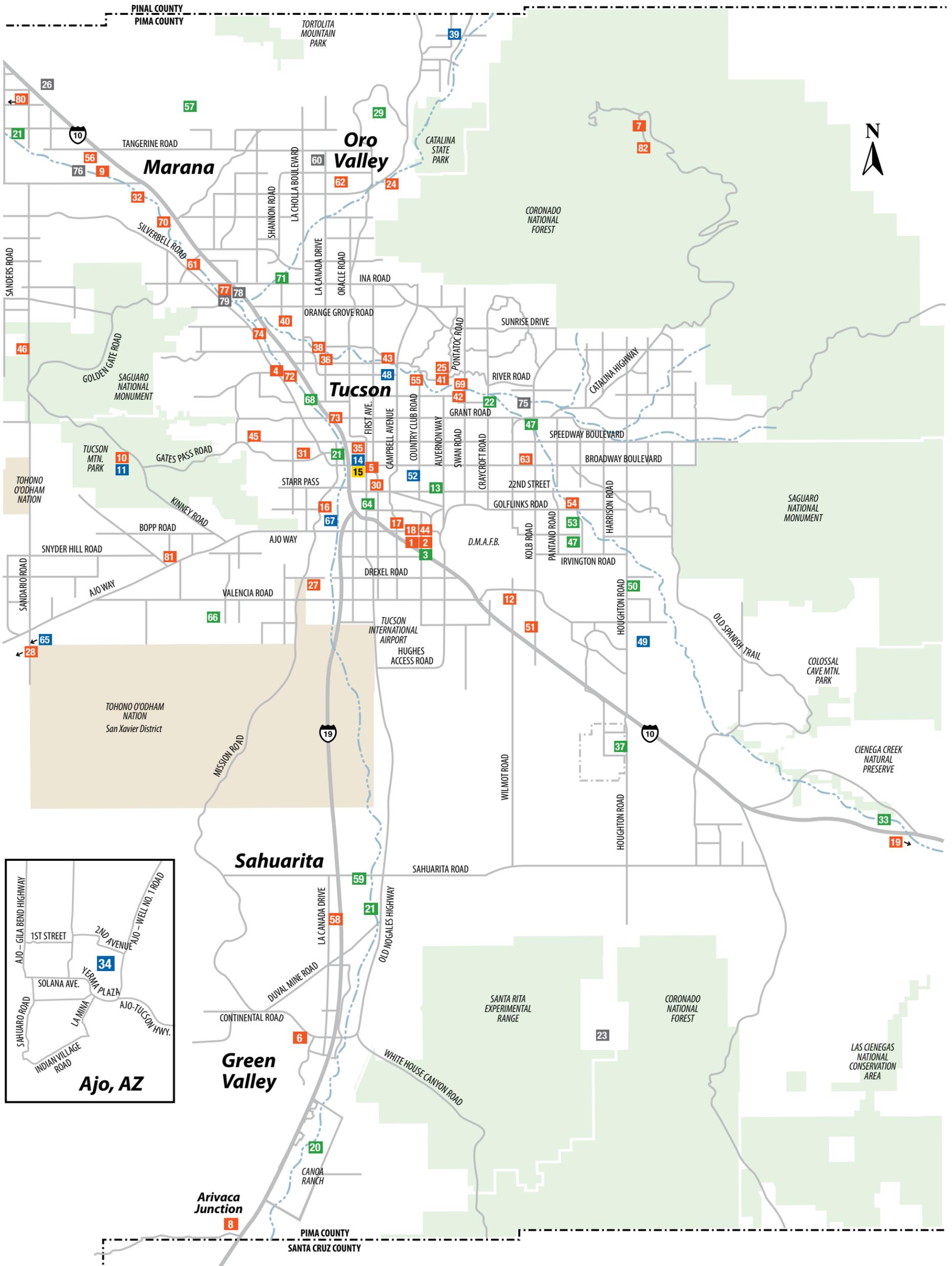
For more information on the 2004 Bond Program, please visit www.bonds.pima.gov

Pima County Board of Supervisors: Ramón Valadez, Chair, District 2; Ann Day, District 1; Sharon Bronson, District 3; Raymond J. Carroll, District 4; Richard Elías, District 5

Pima County Administrator: Chuck Huckelberry

2004 Pima County Bond Program

January 24, 2012 Status Update



- Under Development
- Future
- Under Construction
- Retired
- Completed

2004/2006 General Obligation Bond Programs - Did Completed Projects Meet Voter Intent?

Site Specific Projects	Completion Status	Met		
		Met Scope	Bonds Budget	
FM2.01 Kino Public Health Center	Completed	Y	Y	
FM2.02A New Psychiatric Hospital (2004 & 2006 Auth.)	Completed	Y	Y	
Crisis Response Center (2006 Auth.)	Completed	Y	Y	
FM2.04 Animal Care Center	Completed	Y	Y	
FM2.05 Roy Place Commercial Bldg. Restoration	Completed	Y	Y	
FM2.06 Green Valley Performing Arts Center Phase 2	Completed	N	Y	3rd phase planned for completion due to Foundation's inability to raise other funding
FM2.07 Mt. Lemmon Community Center	Completed	Y	Y	
FM2.08 Amado Food Bank Kitchen	Completed	Y	Y	
SW2.11 Ina Road Tire Facility Relocation	Completed	Y	Y	
FM2.12 AZ Sonora Desert Museum - Auditorium	Completed	Y	Y	
FM2.14 Pima Air and Space Museum - Hangar #1	Completed	Y	Y	
FM3.04 Corrections Jail Security Project	Completed	Y	Y	
FM3.05 Interagency Victim Advocacy Center	Completed	Y	Y	
FM3.06 Juvenile Court Build-Out	Completed	Y	Y	
CR4.01 Empirita Ranch Buildings Rehabilitation	Completed	Y	Y	
CR4.05 Helvetia Townsite Acquisition	Retired	N	N	Owner not willing to sell - Rosemont Copper
CR4.06 Steam Pump Ranch Rehabilitation	Completed	Y	N	150% over - at request of Oro Valley, bonds transferred from Naranja Townsite
CR4.07 Binghampton Historic Buildings Rehabilitation	Completed	Y	Y	
CR4.09 Dakota Wash Site Acquisition Under	Completed	Y	Y	
CR4.10 Coyote Mountains Site Acquisition	Completed	Y	Y	
CR4.12 Performing Arts Center Rehabilitation	Completed	Y	Y	
CR4.13 Tumamoc Hill Acquisition	Completed	Y	Y	Original Valencia property, which was conserved under OS
CR4.14 Los Morteros Preservation	Completed	Y	N	150% over - bond funds
CR4.17 Dunbar School	Completed	Y	Y	
PR4.18 Flowing Wells Community Center	Completed	Y	Y	
PR4.21 Curtis Park - Flowing Wells East	Completed	Y	Y	
PR4.23 Dan Felix Memorial Park	Completed	N	N	70% under budget. 2 b-ball courts constructed at nearby park instead per bond ordinance amendment
PR4.24 Brandi Fenton Memorial Riverbend Park	Completed	Y	N	30% over budget for bond funding due to expanded scope & and contributions
PR4.25 George Mehl Family Memorial Park	Completed	Y	Y	
PR4.26 Rillito Race Track	Completed	Y	Y	
PR4.27 Kino Public Sports Field Lighting	Completed	Y	Y	
PR4.28 Feliz Paseos Universal Access Park	Completed	Y	Y	
PR4.29 Picture Rocks Pool	Completed	Y	Y	
PR4.34 Julian Wash Linear Park	Completed	Y	Y	
PR4.37 Pantano River Park	Completed	Y	Y	
PR4.38 Rio Vista Natural Resource Park	Completed	Y	Y	
PR4.39 Cultural and Heritage Park	Completed	Y	Y	
PR4.41 Anamax Park Multi-Use Ball Field	Completed	Y	Y	
PR4.43 Naranja Town Site Park	Retired	N	N	Project was retired at the request of Oro Valley
FM4.44 Marana Continental Ranch New Library	Completed	Y	Y	
FM4.45 Oro Valley Public Library Expansion	Completed	Y	Y	
FM4.46 Wilmot Branch Library Replacement or Reloc.	Completed	Y	Y	
FC5.08 Rillito River Linear Park Completion	Completed	Y	Y	
FC5.09 Santa Cruz River in Vicinity of Continental Ranch	Completed	Y	Y	

Programs

Conservation Acquisition Program & DMAFB Open Space
Neighborhood Reinvestment
Affordable Housing
Urban Drainage Program

Projects completed under Programs

69 properties acquired
41 projects completed
10 projects completed
10 projects completed

Summary - 2004/2006 General Obligation Bond Programs

69 site specific projects approved by voters

42 site specific projects completed

2 retired

Remaining projects are under development, under construction or planned for the future

An additional 130 projects and acquisitions have been completed under programs

Out of the 42 site specific completed projects:

40 met scope 95%

39 met bonds budget 93%

2004 program is a 12 year program - 2004 to 2016

2006 program was a 5 year program - 2006 to 2011

Definitions:

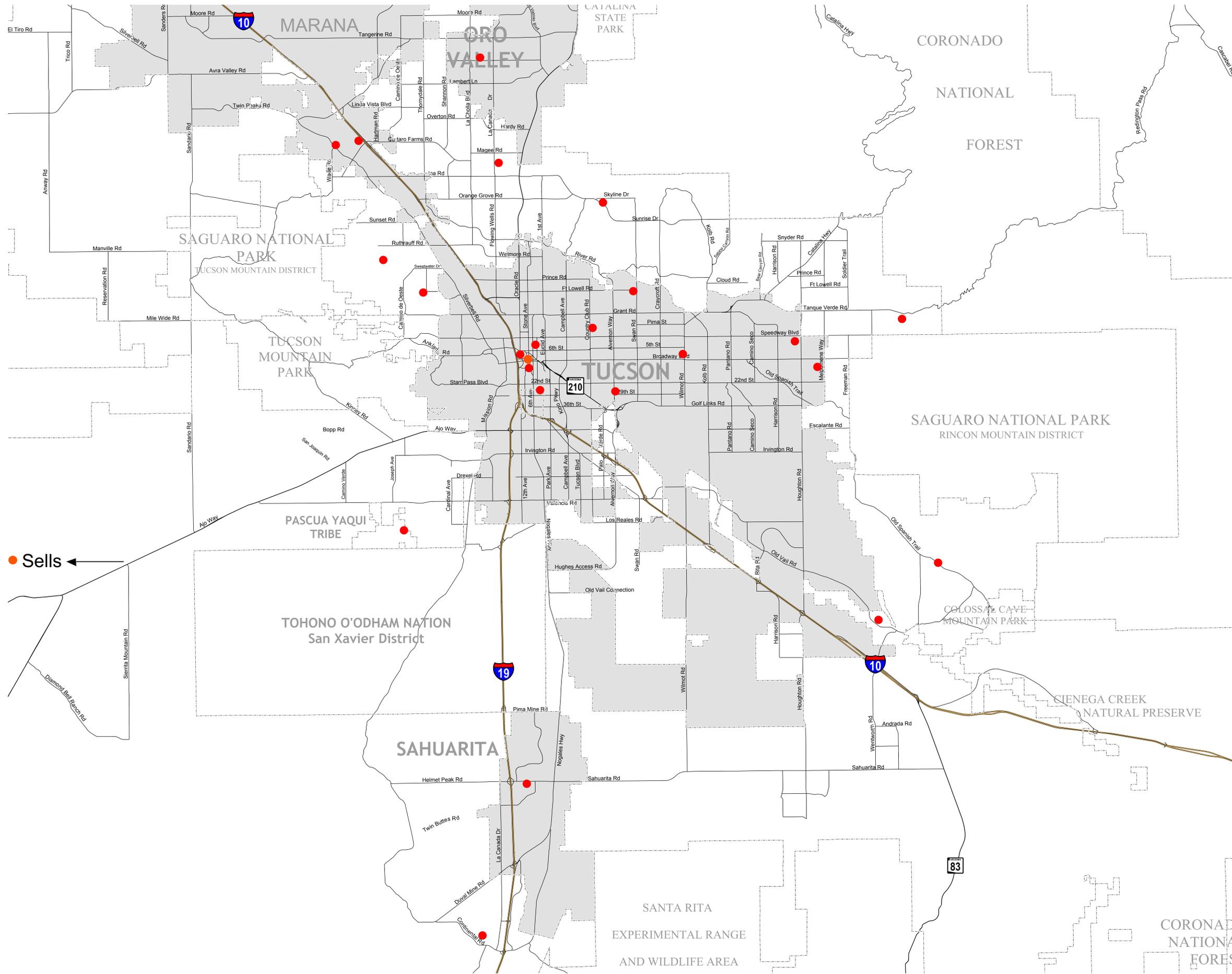
Met scope: the completed project substantially met the scope of the project in the original bond ordinance

Met bonds budget: the project was completed within 25% under or over bond authorization in the original bond ordinance

ATTACHMENT 4

Pima County Bond Advisory Committee Members

- Member Mailing Address
- Incorporated Areas
- Major Streets



The information depicted on this display is the result of digital analyses performed on a variety of databases provided and maintained by several governmental agencies. The accuracy of the information presented is limited to the collective accuracy of these databases on the date of the analysis. Pima County Information Technology Department Geographic Information Systems makes no claims regarding the accuracy of the information depicted herein. This product is subject to the GIS Division Disclaimer and Use Restrictions.



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ATTACHMENT 5

**HOUSE BILL (HB) 2656 COMPARED TO THE PIMA COUNTY'S EXISTING
BOND ADVISORY COMMITTEE (BAC) AND TRUTH IN BONDING CODE**

	Text of HB 2656	Existing BAC and Truth in Bonding Code
A	<p>Any county with a population of at least nine hundred thousand persons but not more than one million five hundred thousand persons shall establish a regional bond accountability committee consisting of the following members:</p> <ol style="list-style-type: none"> 1. One member appointed by the county board of supervisors, who may be a member of the board of supervisors. 2. One member appointed by the city council of each incorporated city in the county, who may be a member of the city council. 3. One member appointed by the town council of each incorporated town in the county, who may be a member of the town council. 	<p>Pima County's Truth in Bonding Code, 3.06.040, already requires that Pima County have a BAC. The Committee is made up of 25 members. Each of the cities and towns and the two tribes have an appointment. The Board of Supervisors and the County Administrator each has three appointments. These members reside or work throughout eastern Pima County, both inside and outside cities and towns.</p>
B	Members of the regional bond accountability committee serve at the pleasure of the governing body that appointed the member.	Already in place with the Pima County BAC.
C	The regional bond accountability committee shall select from the committee membership a chairperson and may adopt all rules and procedures necessary or convenient for the conduct of the committee's business.	Already in place with the Pima County BAC.
D	All meetings of the regional bond accountability committee are subject to title 38, chapter 3, article 3.1.	Already in place with the Pima County BAC.
E	All working papers and records of the regional bond accountability committee are public records and subject to title 39, chapter 1.	Already in place with the Pima County BAC.
F	The clerk of the county board of supervisors shall act as the clerk of the regional bond accountability committee, and is responsible for maintaining the records of the regional bond accountability committee and performing all reasonable administrative functions supporting the regional bond accountability committee.	County Administrator's staff serve as clerks to the Pima County BAC.
G	The county shall pay all reasonable administrative costs authorized by the regional bond accountability committee as necessary for the committee to carry out its functions as described in this section, including facility usage fees, publication costs, printing costs, mileage reimbursement fees, office equipment costs, independent auditor fees	Already in place with the Pima County BAC, with the exceptions of reimbursement for mileage, independent auditor fees and attorney fees.

Comparison: HB 2656 to Pima County BAC and Truth in Bonding Code
Page 2

	Text of HB 2656	Existing BAC and Truth in Bonding Code
	and attorney fees. Administrative costs shall be minimized by using existing member jurisdiction facilities and staff whenever it is reasonably feasible to do so. Member jurisdiction facilities and staff shall be reimbursed at the member jurisdiction's actual cost.	
H	<p>In addition to any other requirements of law and before any required vote of the qualified electors of the county, the county shall not issue or sell general obligation bonds until the following has occurred:</p> <ol style="list-style-type: none"> 1. The board of supervisors shall submit to the regional bond accountability committee a report identifying the proposed allocation of amounts and specific project uses of the county general obligation bonds. 2. The regional bond accountability committee shall hold a public hearing on the report after publishing notice of the public hearing in an advertisement that is no less than one-eighth of a full page in a newspaper with general circulation published in the county where the hearing will be held or, if no newspaper with general circulation is regularly published, in a newspaper with statewide general circulation. 3. At the conclusion of the public hearing, the regional bond accountability committee shall, by a majority vote of the full membership of the committee, do one of the following: <ol style="list-style-type: none"> (a) Hold another public hearing at a later time and date. (b) Authorize the county to issue or sell the proposed bonds. (c) Return the report to the county board of supervisors for revision or additional information. (d) Reject the proposed bonds. If the committee fails to take one of the other actions authorized in this paragraph, the proposed bonds are deemed rejected. 	<p>Already in place with the Pima County BAC except that the reports are published on the County’s website, not in the newspaper.</p>
I	After a general obligation bond has been issued or sold or approved by a vote of the qualified electors of the county, the county shall not change the proposed amounts allocated for a specific project use or the specific project uses of any county general obligation bonds from the amounts	<p>Already in place with the Pima County BAC except for the specific size of the public hearing notice in the newspaper.</p>

	Text of HB 2656	Existing BAC and Truth in Bonding Code
	<p>and uses authorized by the regional bond accountability committee without the prior approval of the regional bond accountability committee, pursuant to the following procedure:</p> <ol style="list-style-type: none"> 1. The county board of supervisors shall submit to the regional bond accountability committee a report identifying the proposed changes to the amounts allocated for a specific project use and the specific project uses of the county general obligation bonds. Any proposed changes to the amounts or uses of a county general obligation bond shall be consistent with the amounts and uses approved in the election authorizing the bonds. 2. The regional bond accountability committee shall hold a public hearing on the report after publishing notice of the public hearing in an advertisement that is no less than one-eighth of a full page in a newspaper with general circulation published in the county where the hearing will be held or, if no newspaper with general circulation is regularly published, in a newspaper with statewide general circulation. 3. At the conclusion of the public hearing, the regional bond accountability committee shall, by a majority of the full membership of the committee, do one of the following: <ol style="list-style-type: none"> (a) Hold another public hearing at a later time and date. (b) Approve the proposed changes to the amounts allocated for a specific project use or specific project uses of the general obligation bonds. (c) Return the report to the county board of supervisors for revision or additional information. (d) Reject the proposed changes to the amounts or uses of the general obligation bonds. If the committee fails to take one of the other actions authorized in this paragraph, the proposed bonds are deemed rejected. 	
J	<p>The regional bond accountability committee may order an audit of the county's bond program at any time by majority vote of the full membership of the regional bond accountability committee, the costs of</p>	<p>Already in place with the Pima County BAC. If the BAC requested an independent audit, such would be conducted and funded.</p>

Comparison: HB 2656 to Pima County BAC and Truth in Bonding Code

	Text of HB 2656	Existing BAC and Truth in Bonding Code
	which shall be paid by the county pursuant to subsection G of this section.	
K	The governing body of any jurisdiction represented on the regional bond accountability committee may order an audit of the county's bond program at any time by adopting a resolution ordering and committing to pay all costs of the audit.	Already in place with the Pima County BAC. If the governing body of any city, town or tribe requested an independent audit, the County would make the necessary data available for such an audit.
L	For the purposes of this section, a city or town is considered to be in the county if any portion of its jurisdictional limits is located in the county.	Already in place with the Pima County BAC.
M	For the purposes of this section: 1. "an audit of the county's bond program" means an audit examining the uses of all proceeds of all county general obligation bonds that are not fully redeemed on the date the audit is ordered. 2. "general obligation bonds" means all bonds, obligations or other indebtedness for which the full faith and credit of the county are pledged as a source of repayment.	Not Applicable.
N	Nothing in this section authorizes a county or the regional bond accountability committee to change the total amount or general use of any general obligation bond approved by a vote of the qualified electors of the County.	Already required by Arizona Revised Statute § 35-455.D
Pima County's Truth in Bonding Code actually provides more accountability and transparency to voters and the public than does HB 2656:		
The existing Truth in Bonding Code requires that prior to a bond election, the Pima County BAC and the Board of Supervisors adopt a detailed Bond Implementation Plan Ordinance that is noticed in the newspaper and on the County's website prior to the start of early voting. This Plan must include, for each project, the scope, the benefits, the schedule, estimated future operating and maintenance costs, estimated total project costs, and the source of any other anticipated revenues for the project. The 2004 Bond Implementation Plan, adopted and published prior to early voting, also states in Section IV.B that no project requested by a city or town or tribe shall be modified without the express written request of that jurisdiction after the jurisdiction has held a public hearing on the modification and voted in the majority to approve the modification.		
The existing Truth in Bonding Code requires a far more detailed status report than does HB 2656.		
The existing Truth in Bonding Code requires the County have a Conservation Acquisition Commission to oversee the acquisition		

Comparison: HB 2656 to Pima County BAC and Truth in Bonding Code

Page 5

	Text of HB 2656	Existing BAC and Truth in Bonding Code
	of natural areas with bond funds, and the roles and responsibilities for such a Commission, which include voting on any modifications at a public meeting prior to recommending such a modification to the Pima County BAC.	

Attachments

House Bill 2656

Pima County Code, Chapter 3.06: Bonding Disclosure, Accountability
and Implementation (Truth in Bonding Code)

Section 1U.B, 2004 Bond Implementation Plan Ordinance

REFERENCE TITLE: county bonding; regional committee

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HB 2656

Introduced by
Representatives Proud, Gowan, Judd, Stevens, Williams, Senators Antenori,
Griffin, Smith; Representative Vogt, Senators Melvin, Shooter

AN ACT

AMENDING TITLE 11, CHAPTER 4, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6;
RELATING TO THE REGIONAL BOND ACCOUNTABILITY COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 4, Arizona Revised Statutes, is amended
3 by adding article 6, to read:

4 ARTICLE 6. REGIONAL BOND ACCOUNTABILITY COMMITTEE

5 11-691. Regional bond accountability committee; membership;
6 duties; applicability; definitions

7 A. ANY COUNTY WITH A POPULATION OF AT LEAST NINE HUNDRED THOUSAND
8 PERSONS BUT NOT MORE THAN ONE MILLION FIVE HUNDRED THOUSAND PERSONS SHALL
9 ESTABLISH A REGIONAL BOND ACCOUNTABILITY COMMITTEE CONSISTING OF THE
10 FOLLOWING MEMBERS:

11 1. ONE MEMBER APPOINTED BY THE COUNTY BOARD OF SUPERVISORS, WHO MAY BE
12 A MEMBER OF THE BOARD OF SUPERVISORS.

13 2. ONE MEMBER APPOINTED BY THE CITY COUNCIL OF EACH INCORPORATED CITY
14 IN THE COUNTY, WHO MAY BE A MEMBER OF THE CITY COUNCIL.

15 3. ONE MEMBER APPOINTED BY THE TOWN COUNCIL OF EACH INCORPORATED TOWN
16 IN THE COUNTY, WHO MAY BE A MEMBER OF THE TOWN COUNCIL.

17 B. MEMBERS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SERVE AT THE
18 PLEASURE OF THE GOVERNING BODY THAT APPOINTED THE MEMBER.

19 C. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL SELECT FROM THE
20 COMMITTEE MEMBERSHIP A CHAIRPERSON AND MAY ADOPT ALL RULES AND PROCEDURES
21 NECESSARY OR CONVENIENT FOR THE CONDUCT OF THE COMMITTEE'S BUSINESS.

22 D. ALL MEETINGS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE ARE
23 SUBJECT TO TITLE 38, CHAPTER 3, ARTICLE 3.1.

24 E. ALL WORKING PAPERS AND RECORDS OF THE REGIONAL BOND ACCOUNTABILITY
25 COMMITTEE ARE PUBLIC RECORDS AND SUBJECT TO TITLE 39, CHAPTER 1.

26 F. THE CLERK OF THE COUNTY BOARD OF SUPERVISORS SHALL ACT AS THE CLERK
27 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, AND IS RESPONSIBLE FOR
28 MAINTAINING THE RECORDS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AND
29 PERFORMING ALL REASONABLE ADMINISTRATIVE FUNCTIONS SUPPORTING THE REGIONAL
30 BOND ACCOUNTABILITY COMMITTEE.

31 G. THE COUNTY SHALL PAY ALL REASONABLE ADMINISTRATIVE COSTS AUTHORIZED
32 BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AS NECESSARY FOR THE COMMITTEE
33 TO CARRY OUT ITS FUNCTIONS AS DESCRIBED IN THIS SECTION, INCLUDING FACILITY
34 USAGE FEES, PUBLICATION COSTS, PRINTING COSTS, MILEAGE REIMBURSEMENT FEES,
35 OFFICE EQUIPMENT COSTS, INDEPENDENT AUDITOR FEES AND ATTORNEY FEES.
36 ADMINISTRATIVE COSTS SHALL BE MINIMIZED BY USING EXISTING MEMBER JURISDICTION
37 FACILITIES AND STAFF WHENEVER IT IS REASONABLY FEASIBLE TO DO SO. MEMBER
38 JURISDICTION FACILITIES AND STAFF SHALL BE REIMBURSED AT THE MEMBER
39 JURISDICTION'S ACTUAL COST.

40 H. IN ADDITION TO ANY OTHER REQUIREMENTS OF LAW AND BEFORE ANY
41 REQUIRED VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT
42 ISSUE OR SELL GENERAL OBLIGATION BONDS UNTIL THE FOLLOWING HAS OCCURRED:

43 1. THE BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND
44 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED ALLOCATION OF
45 AMOUNTS AND SPECIFIC PROJECT USES OF THE COUNTY GENERAL OBLIGATION BONDS.

1 2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC
2 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN
3 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER
4 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE
5 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN
6 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

7 3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND
8 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY VOTE OF THE FULL MEMBERSHIP OF
9 THE COMMITTEE, DO ONE OF THE FOLLOWING:

10 (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

11 (b) AUTHORIZE THE COUNTY TO ISSUE OR SELL THE PROPOSED BONDS.

12 (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION
13 OR ADDITIONAL INFORMATION.

14 (d) REJECT THE PROPOSED BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF
15 THE OTHER ACTIONS AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED
16 REJECTED.

17 I. AFTER A GENERAL OBLIGATION BOND HAS BEEN ISSUED OR SOLD OR APPROVED
18 BY A VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT
19 CHANGE THE PROPOSED AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE OR THE
20 SPECIFIC PROJECT USES OF ANY COUNTY GENERAL OBLIGATION BONDS FROM THE AMOUNTS
21 AND USES AUTHORIZED BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE WITHOUT THE
22 PRIOR APPROVAL OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, PURSUANT TO THE
23 FOLLOWING PROCEDURE:

24 1. THE COUNTY BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND
25 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED CHANGES TO THE
26 AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE AND THE SPECIFIC PROJECT USES OF
27 THE COUNTY GENERAL OBLIGATION BONDS. ANY PROPOSED CHANGES TO THE AMOUNTS OR
28 USES OF A COUNTY GENERAL OBLIGATION BOND SHALL BE CONSISTENT WITH THE AMOUNTS
29 AND USES APPROVED IN THE ELECTION AUTHORIZING THE BONDS.

30 2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC
31 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN
32 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER
33 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE
34 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN
35 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

36 3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND
37 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY OF THE FULL MEMBERSHIP OF THE
38 COMMITTEE, DO ONE OF THE FOLLOWING:

39 (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

40 (b) APPROVE THE PROPOSED CHANGES TO THE AMOUNTS ALLOCATED FOR A
41 SPECIFIC PROJECT USE OR SPECIFIC PROJECT USES OF THE GENERAL OBLIGATION
42 BONDS.

43 (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION
44 OR ADDITIONAL INFORMATION.

1 (d) REJECT THE PROPOSED CHANGES TO THE AMOUNTS OR USES OF THE GENERAL
2 OBLIGATION BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF THE OTHER ACTIONS
3 AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED REJECTED.

4 J. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF
5 THE COUNTY'S BOND PROGRAM AT ANY TIME BY MAJORITY VOTE OF THE FULL MEMBERSHIP
6 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, THE COSTS OF WHICH SHALL BE
7 PAID BY THE COUNTY PURSUANT TO SUBSECTION G OF THIS SECTION.

8 K. THE GOVERNING BODY OF ANY JURISDICTION REPRESENTED ON THE REGIONAL
9 BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF THE COUNTY'S BOND PROGRAM
10 AT ANY TIME BY ADOPTING A RESOLUTION ORDERING AND COMMITTING TO PAY ALL COSTS
11 OF THE AUDIT.

12 L. FOR THE PURPOSES OF THIS SECTION, A CITY OR TOWN IS CONSIDERED TO
13 BE IN THE COUNTY IF ANY PORTION OF ITS JURISDICTIONAL LIMITS IS LOCATED IN
14 THE COUNTY.

15 M. FOR THE PURPOSES OF THIS SECTION:

16 1. "AN AUDIT OF THE COUNTY'S BOND PROGRAM" MEANS AN AUDIT EXAMINING
17 THE USES OF ALL PROCEEDS OF ALL COUNTY GENERAL OBLIGATION BONDS THAT ARE NOT
18 FULLY REDEEMED ON THE DATE THE AUDIT IS ORDERED.

19 2. "GENERAL OBLIGATION BONDS" MEANS ALL BONDS, OBLIGATIONS OR OTHER
20 INDEBTEDNESS FOR WHICH THE FULL FAITH AND CREDIT OF THE COUNTY ARE PLEDGED AS
21 A SOURCE OF REPAYMENT.

22 N. NOTHING IN THIS SECTION AUTHORIZES A COUNTY OR THE REGIONAL BOND
23 ACCOUNTABILITY COMMITTEE TO CHANGE THE TOTAL AMOUNT OR GENERAL USE OF ANY
24 GENERAL OBLIGATION BOND APPROVED BY A VOTE OF THE QUALIFIED ELECTORS OF THE
25 COUNTY.

Chapter 3.06

BONDING DISCLOSURE, ACCOUNTABILITY AND IMPLEMENTATION

Sections:

3.06.010 Intent.

3.06.020 Bond implementation plan.

3.06.030 Advance publication of bond implementation plan.

3.06.040 Pima County bond advisory committee: Capital planning, program and implementation review.

3.06.050 Conservation acquisition commission.

3.06.060 Monitoring and reporting on sold bonds.

3.06.070 Substantial modification of an adopted bond implementation plan.

3.06.080 Coordination with other capital planning of the county and region, and applicability to county bond projects within other jurisdictions.

3.06.090 Design, construction, and equipping of county bond projects by other jurisdictions.

3.06.010

Intent.

The board of supervisors is authorized by Arizona Revised Statutes §35-452 to call special elections for the purpose of seeking voter authorization to incur bonded indebtedness. The board of supervisors desires to provide voters with complete information on projects, along with their estimated costs, that will be constructed from proceeds of bonded indebtedness, as well as provide voters, to the maximum extent practicable, firm assurances that these projects will be constructed within the estimated costs and time tables established by the board of supervisors. Because it is not practicable to list on a ballot question all of the projects and estimated costs that would be constructed from the sale of authorized bonded indebtedness, the board of supervisors establishes this chapter setting forth requirements for presenting general obligation and revenue bond packages to the electorate for approval and for monitoring utilization of the proceeds from authorized bonds. (Ord. 1997-25 § 1 (part), 1997)

3.06.020

Bond implementation plan.

Prior to the start of early voting for a special election called by the board of supervisors pursuant to ARS §35-452, the board of supervisors shall adopt by ordinance a "bond implementation plan," which shall be adopted for each bond election and question ordered by the board of supervisors pursuant to ARS §35-452. The title of the ordinance shall contain the date of the special bond election. After adoption, the ordinance shall govern the development or construction of all listed projects, including the approximate project cost and the proposed construction schedule, unless the ordinance is amended pursuant to

Section 3.06.050. The ordinance shall contain the following information:

A. A complete list of all projects to be constructed or acquired by proceeds from the sale of authorized bonds. The project list shall identify each project by name and location and provide a short narrative project description.

1. For capital construction projects, the following information shall also be provided for each project:

a. A project scope of work containing a description of the facility to be constructed including the size or capacity and whether construction is for a new facility or an expansion, rehabilitation or reconstruction of an existing facility.

b. The purpose and specific benefits to be achieved by construction of the project.

c. A construction schedule that identifies by major task (i.e. planning/design/right-of-way; construction; other) and by fiscal year the projected start and completion dates.

d. The estimated future operating and maintenance costs, what jurisdiction or county department will be responsible for these costs, and whether ability to fund these costs should impact scheduling of the project.

2. For each land acquisition project related to open space, trails or historic/cultural preservation, the following information shall be provided:

a. An estimate of the number of acres to be acquired and any special designation relating to the property such as recreational, open space planning, floodplain, or historic/cultural preservation.

b. The desirable location of the property by section, township, and range, the assessor parcel number, and existing zoning of the property.

c. The benefits to be achieved by the acquisition.

d. The estimated future management and security costs, and identification of the management agency if other than the county.

B. The total estimated cost of each project or acquisition, total estimated costs by major task, a discussion of how estimated costs were derived, and analysis of the potential for actual costs to increase or decrease from estimated costs.

C. The source (federal or state aid, local governments, other county revenues, private sources) of any other revenues that may be obtained for the project or revenues that are required as cost sharing from other governmental entities or private parties, including an assessment of the certainty or uncertainty that other sources will be secured and options that would be available if the other sources are not secured.

D. A detailed strategy for managing the sale of bonds, including discussion of the factors upon which the county will base decisions on the timing, size, and terms of bond sales.

E. For general obligation bonds, discussion of commitments to manage the sale of bonds within limits on secondary property tax rates and analysis of how approval and sale of general obligation bonds could impact actual property taxes paid for debt service.

F. For revenue bonds, a discussion of sources of revenues that will be used to service bond debt and whether fees will be raised, and by how much, if revenue bonds are approved and sold. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 §1 (part), 1997)

3.06.030

Advance publication of bond implementation plan.

A bond implementation plan adopted pursuant to this chapter shall be published at least once in a newspaper of general circulation in the county prior to the start of early voting for the special bond election. The publication shall set forth the ordinance containing the bond implementation plan adopted by the board of supervisors. Upon adoption, the board of supervisors shall also publish the bond implementation plan on the county's web site prior to the start of early voting for the special bond election. (Ord. 2004-16 § 1 (part), 2004; Ord.

1997-25 § 1 (part), 1997)

3.06.040

Pima County bond advisory committee: Capital planning, program and implementation review.

- A. The duties and responsibilities of the Pima County bond advisory committee as adopted by the board of supervisors on July 15, 2003, are expanded to include monitoring and review of implementation of the bond implementation plan.
- B. The Pima County bond advisory committee members shall be appointed to a term of six years. Upon resignation of any member, the appointing authority shall appoint another member to begin a new six-year term.
- C. The committee will meet as often as it deems necessary but in any event no less frequently than semi-annually.
- D. Under direction of the county administrator, county staff shall prepare progress reports and otherwise brief the committee on the status of implementation of the bond implementation plan, with special attention paid to major issues impacting implementation of the bond improvement plan.
- E. The committee shall review and make recommendations to the board of supervisors on all proposed amendments to the bond implementation plan.
- F. The Committee shall review and approve the semiannual progress reports on the bond implementation plan prior to it being transmitted to the board of supervisors and published, as required by section 3.06.060. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

3.06.050

Conservation acquisition commission.

- A. The board of supervisors hereby establishes the conservation acquisition commission.
- B. The conservation acquisition commission shall have a total of eleven members, appointed as follows:
 - 1. Five members, one appointed by each member of the board of supervisors;
 - 2. Two members appointed by land conservation organizations active in Pima County;
 - 3. One member appointed from the Pima County natural resources, parks and recreation commission;
 - 4. One member appointed by the local board of realtors;
 - 5. One member appointed by the ranching community; and
 - 6. One member appointed by the county administrator.
- C. Appointments to the commission are for a term of eight years. Upon the resignation of any member, the appointing authority shall appoint another member to begin a new eight-year term.
- D. The duties and responsibilities of the commission are as follows:
 - 1. Oversee and monitor all open space bond acquisitions placed before the board of supervisors for consideration including, but not limited to, acquisitions funded by general obligation bonds.
 - 2. Make recommendations to the board of supervisors and the Pima County bond advisory committee for priorities in the scheduling of open space acquisitions and periodic assessment and change in priorities as necessary.
 - 3. Make recommendations to the board of supervisors and the Pima County bond advisory committee on any aspects of open space land management, including management of lands acquired for open space.

4. Make recommendations to the county administrator, and the Pima County bond advisory committee on any aspect relating to internal county management of the open space acquisition process.

E. The commission will meet as often as it deems necessary but in any event no less frequently than quarterly.

F. Under direction of the county administrator, county staff shall prepare progress reports and otherwise brief the commission on the status of implementation of the conservation bond program component of the bond implementation plan, with special attention paid to major issues impacting implementation of the conservation bond program.

G. The commission shall review and make recommendations to the board of supervisors on all potential amendments to conservation bond program components of the bond implementation plan.

H. The commission shall review and approve the semiannual progress reports on the conservation bond program component of the bond implementation plan prior to it being transmitted to the Pima County bond advisory committee as required by Section 3.06.040. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

3.06.060

Monitoring and reporting on sold bonds.

The county administrator shall prepare semiannual reports on the progress of the bond implementation plan implementation which shall be transmitted to the board of supervisors for review. Upon transmittal to the board of supervisors on or before January 1 and July 1, semiannual progress reports shall also be posted on the county's web site. Progress reports shall be prepared and transmitted by the county administrator until a bond implementation plan is determined by the board of supervisors to have been completed. Each progress report shall contain the following information on the status of every project or program contained in the plan:

A. The project implementation schedule status, including design, construction, acquisition, and completion.

B. Any estimated substantial variances from the project cost and revenue sources in the adopted bond implementation plan.

C. Any major issues that may affect implementation of the bond implementation plan.

D. Plans and options for addressing substantial modifications in costs or revenue sources or other major issues, including the potential need for substantial modifications in the bond implementation plan as provided for in Section 3.06.070.

E. A fiscal status report, including discussion of bond sales completed and projected; interest rates and terms of completed sales; interest rates received on deposits of bond proceeds; updated projections on conditions in municipal bond markets; current debt service schedules and updated projections of secondary property tax rates for debt service; updated projections of secondary property tax rates with projected future sales of bonds; and analysis and projection of fiscal impacts of completed and projected sales of revenue bonds. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

3.06.070

Substantial modification of an adopted bond implementation plan.

A. A substantial modification in the implementation of an adopted bond implementation plan shall not be made except as provided in this section.

B. For purposes of this section, "substantial modification" means any of the following:

1. An increase or decrease in total actual project costs by twenty-five percent or more.

2. An increase or decrease in actual bond costs by twenty-five percent or more.
3. An increase or decrease in actual other revenues by twenty-five percent or more.
4. A delay in a project construction or implementation schedule of twelve months or more.
5. A delay in the scheduled years of sale of bonds of twenty-four months or more caused by changes in municipal bond market conditions or county financial conditions and necessary to maintain commitments to capping the secondary property tax rate for debt service.
6. Any project that is not constructed.
7. Any project that is added to those to be constructed.
8. Any increase or decrease in the project scope that alters the disclosed project benefits.
9. All changes to a bond implementation plan necessitated by only a portion of the proposed bond questions being approved at the special election.

C. Cost estimates may vary, up or down, as a project proceeds through planning, design, procurement, contract award, and construction, or through appraisals and negotiations for conservation acquisitions. Variations in cost estimates do not constitute "substantial modifications." "Substantial modifications" relating only to cash amounts may occur pursuant to official action by the board of supervisors, in open session, that establish actual costs through awards of construction contracts, contract amendments or change orders, or approval of a contract for acquisition. Such board actions shall be accompanied by notice that the action will require a bond ordinance amendment.

D. Any substantial modification in the implementation of an adopted bond implementation plan requires a specific amendment to the ordinance that adopted the plan. The ordinance amendment must be enacted by the board of supervisors at a public hearing for which at least fifteen days' prior notice was published in a newspaper of general circulation in the county.

1. Bond ordinance amendments shall be scheduled to coincide with transmittal of the semiannual bond progress reports as required by Section 3.06.060.

2. Recommendations for bond ordinance amendments shall be reviewed by the Pima County bond advisory committee, as required by Section 3.06.040, and for conservation acquisitions by the conservation acquisition commission, as required by Section 3.06.050.

3. Substantial modifications of costs, bond funding, or other funding ordinance amendments may be scheduled for the next regular transmission of the semiannual bond progress report, provided the modifications were previously approved by the board of supervisors.

4. All other substantial modifications require amendment of the bond ordinance prior to the substantial modification. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

3.06.080

Coordination with other capital planning of the county and region, and applicability to county bond projects within other jurisdictions.

A bond implementation plan shall be integrated into a five year capital improvement plan to be adopted at the time the annual budget of the county is adopted. The county five-year capital improvement program shall be reported to the Metropolitan Planning Organization for all necessary coordination and integration into a regional capital plan. Any project contained within a bond implementation plan that is being implemented by a political subdivision other than the county shall conform with the requirements of this chapter. Specific program or project oversight for the purposes of conforming with this chapter shall remain with the county. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

3.06.090

Design, construction, and equipping of county bond projects by other jurisdictions.

A. Pursuant to Pima County Code Section 3.06.080, bond projects authorized by the board of supervisors in a bond implementation plan for a special bond election to be designed, constructed, or equipped by another political subdivision using county general obligation bonds to fund a project in whole or part shall be funded by the county only pursuant to an intergovernmental agreement executed between Pima County and the implementing subdivision. Each such project shall be authorized and implemented with separate intergovernmental agreements. The intergovernmental agreement shall authorize the jurisdiction to design, construct, or equip the project, subject to compliance with the terms and mutual responsibilities of the parties agreed upon in the intergovernmental agreement.

B. Unless waived by the board of supervisors as being in the best interests of the county and warranted by the circumstances of the bond funded project at issue, the intergovernmental agreement shall include, but not be limited to, the following responsibilities of the implementing subdivision:

1. That the implementing political subdivision shall operate and maintain the improvements constructed by county bond funds for a period of not less than twenty-five (25) years.

2. That the implementing political subdivision shall not charge a fee for use of the constructed improvement that is more than a fee charged by the county for a similar purpose.

3. That the implementing political subdivision agrees to insure the improvements constructed with county bond funds and will replace same them if they are damaged or destroyed.

4. That the implementing political subdivision agrees to make the improvements available to all residents of Pima County without restriction or preference to jurisdiction of residence.

5. That the implementing political subdivision agrees to comply with all provisions of Chapter 3.06 (Bonding Disclosure, Accountability, and Implementation) of the Pima County Code and will provide all reports to the county in a format and schedule agreed upon by the parties.

6. That the county will only transfer county general obligation bond proceeds to the implementing jurisdiction upon request from the implementing jurisdiction, with full documentation.

G. That the implementing political subdivision agrees to a provision requiring compliance with federal arbitrage regulations.

H. That the implementing jurisdiction, by action of its governing body at a public hearing, shall notify the county of events that would require an amendment of the bond implementation plan ordinance and formally request the board of supervisors to hold a public hearing on the necessary ordinance amendment.

I. That the intergovernmental agreement shall establish the amount of county bond funds to be allocated to a specific project, establish the stated amount as a maximum of county bond monies to be allocated to the project, and commit the implementing political subdivision to pay for any and all costs in excess of county bond funds. (Ord. 2004-16 § 1 (part), 2004; Ord. 1997-25 § 1 (part), 1997)

ORDINANCE NO. 2004-18

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA
ADOPTING THE BOND IMPLEMENTATION PLAN FOR THE
MAY 18, 2004 SPECIAL BOND ELECTION.**

IV. Intergovernmental Coordination and Cooperation

B. No Modification of Jurisdictional Bond Projects Unless Requested by Jurisdiction

No project requested by a political subdivision or jurisdiction and approved for inclusion in the 2004 Bond Program shall be modified in scope, location, funding amount, or schedule without the express written request of the jurisdiction that requested the project. Due to changing circumstances or matters beyond the control of the jurisdiction, the jurisdiction may request that the Board of Supervisors modify the jurisdictional project. However, modification is limited to changes approved by a majority of the governing body of the jurisdiction making the change request. The request will be acted on by the Board of Supervisors only after the jurisdiction has held a public hearing announcing their intent to request a change, the reason for the change, and details of the change. The Board will then modify the Bond Implementation Plan as requested by the jurisdiction through the process established by County Code.