



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
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C. H. HUCKELBERRY
County Administrator

January 22, 2004

James Keene, Manager
City of Tucson
P.O. Box 27210
Tucson, Arizona 85726-7210

Re: **Writing the Bond Implementation Plan Ordinance for the May 18, 2004 Bond Election**

Dear Mr. Keene:

Now that the Board of Supervisors has called the May 18, 2004 bond election, Pima County has started writing the bond implementation plan ordinance for this election. This ordinance will be adopted pursuant to the County's "Truth in Bonding" ordinance (Attachment 1). The bond ordinance provides Pima County, and the other jurisdictions cooperating in this election, with the opportunity to fully inform voters of the projects and benefits they can expect to receive if they approve the sale and expenditure of the bonds. The Board approved bond ordinances for both of the 1997 special elections, which can be read at the County's website (www.dot.pima.co.az.us/bonds). As an ordinance adopted by the Board, the bond implementation plan is a legally binding document and substantive changes in the plan will require ordinance amendments adopted by the Board of Supervisors in public hearings.

We will need the assistance of you and your staff in writing this bond implementation plan. Several projects in the bond package were specifically requested by and will be scoped and implemented by your jurisdiction. Other projects will require cooperation between our bodies, and sometimes of multiple jurisdictions, in scoping, costing, and implementation. Our first task will be to generate all of the information the Board of Supervisors will expect to include in the bond ordinance. Attachment 2 identifies in tabular form the minimum information that will be included in the bond ordinance for each project.

Once we have collected this basic project specific information, we will address the question of scheduling of projects. As you know, as the size of the bond program grew, its duration grew as well, probably to upwards of ten to twelve years. As a consequence, some projects will be completed early in the program, while other projects will not be completed until 2014 to 2016. We will need to discuss scheduling of projects honestly and respectfully, to decide upon project schedules that maximize the benefits of the bond program and treat all residents equitably.

James Keene, Manager

Writing the Bond Implementation Plan Ordinance for the May 18, 2004 Bond Election


January 22, 2004

Page 2

My Executive Assistant, Jim Barry, will coordinate drafting of the bond ordinance for the County. I would ask that you designate a contact person for your jurisdiction to work with Mr. Barry and he will contact that person immediately to start the process.

In attachment 3, I have listed all of the projects that either will be under your management control for which you will need to provide us with information for the ordinance or projects on which we should coordinate writing of the bond ordinance.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/jj

Attachments

- c: The Honorable Chair and Members, Pima County Board of Supervisors
- The Honorable Mayor and Council, City of Tucson
- Pima County Bond Advisory Committee
- John Bernal, Deputy County Administrator - Public Works
- Mike Hein, Deputy County Administrator for Community and Economic Development
- Kathleen Chavez, Wastewater Management Director
- Rafael Payan, Natural Resources, Parks and Recreation Director
- Mike Tuinstra, Facilities Management Director
- Kurt Weinrich, Transportation and Flood Control District Director
- Suzanne Shields, Deputy Director, Transportation and Flood Control District
- Linda Mayro, Cultural Resources Manager
- Jim Barry, Executive Assistant to the County Administrator

Truth in Bonding Ordinance

ORDINANCE NO. 1997 .25 (As Amended by ORDINANCE NO. 2001-113, adopted August 20, 2001)

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA ENACTING CHAPTER 3.06 OF TITLE 3 OF THE PIMA COUNTYCODE, RELATING TO BONDING DISCLOSURE, ACCOUNTABILITY AND IMPLEMENTATION; REQUIRING THAT THE BOARD OF SUPERVISORS,BEFORE SEEKING VOTER AUTHORIZATION OF GENERAL OBLIGATION BOND AND REVENUE BOND FINANCING OF CAPITAL IMPROVEMENT PROJECTS, ADOPT BY ORDINANCE A CAPITAL IMPROVEMENT PLAN WHICH IDENTIFIES THE PROJECTS, ESTIMATED COSTS OF PROJECTS, AND PROJECTED SCHEDULE OF CONSTRUCTION OF PROJECTS TO BE FINANCED ALONG WITH A PROJECTED SCHEDULE OF SALE OF BONDS AND DEBT RETIREMENT SCHEDULES; ESTABLISHING MONITORING AND REPORTING REQUIREMENTS FOR THE PLAN; AND ESTABLISHING MANDATORY PROCEDURES TO BE FOLLOWED TO SUBSTANTIALLY AMEND ANY ELEMENT OF THE ADOPTED PLAN

WHEREAS, the Board of Supervisors of Pima County, Arizona has the authority under Arizona Revised Statutes §35-452 to call a special election to seek voter authorization for bonded indebtedness, and

WHEREAS, the Board of Supervisors of Pima County, Arizona has the authority under Arizona Revised Statutes § 11-251 *et. seq.* to adopt and amend a code of ordinances, and

WHEREAS, the Board of Supervisors of Pima County, Arizona desires to establish a "Bonding Disclosure, Accountability and Implementation Ordinance" which requires that the Board of Supervisors adopt by ordinance a list of projects, estimated costs and implementation time frames for construction or development of projects or programs proposed to be authorized by general obligation or revenue bonds approved by the electorate,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PLMA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. That Title 3 of the Pima County Code is amended by adding Chapter 3.06, to read as follows:

Chapter 3.06

Bonding Disclosure, Accountability and Implementation

3.06.010 Intent

The Board 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 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 timetables established by the Board. 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 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.

3.06.020 Bond Improvement Plan

Not less than ten (10) days prior to a special election called by the Board pursuant to ARS §35-452, the Board shall adopt by ordinance a "Bond Improvement Plan," which shall be adopted for each bond election and question ordered by the Board 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 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:

1. A complete list of all projects to be constructed 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.
 - a. For capital construction projects, the following information shall also be provided for each project:
 - i. 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.
 - ii. The purpose and specific benefits to be achieved by construction of the project.

- iii. A construction schedule that identifies by fiscal year the projected start and completion date.
 - iv. The estimated future operating and maintenance costs.
- b. For each land acquisition project related to open space, trails or historic/cultural preservation, the following information shall be provided:
- i. 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.
 - ii. The desirable location of the property by section, township, and range, the Assessor parcel number, and existing zoning of the property.
 - iii. The benefits to be achieved by the acquisition.
 - iv. The estimated future management and security costs, and identification of the management agency if other than the County.
2. The approximate cost of each project or acquisition.
 3. The source 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.
 4. A projected schedule of the sale of bonds if authorized by the voters.
 5. An estimate of the impact of the sale of authorized bonds on secondary property tax rates and the estimated schedule of debt service payments.

3.06.030 Advance Publication of Bond Improvement Plan

A Bond Improvement Plan adopted pursuant to this chapter shall be published at least once in a newspaper of general circulation in the County prior to the special bond election. The publication shall set forth the ordinance containing the Bond Improvement Plan adopted by the Board.

3.06.040 Monitoring and Reporting on Sold Bonds

The County Administrator shall prepare semi-annual reports on the progress of the Bond Improvement Plan implementation which shall be transmitted to the Board for review. Progress reports shall be prepared and transmitted by the County Administrator until a Bond Improvement Plan is determined by the Board to have been completed. Each progress report shall contain the following information on the status of every project or program contained in the plan:

1. The project implementation schedule status, including design, construction, and completion.
2. Any estimated substantial variances from the project cost and revenue sources in the adopted Bond Improvement Plan.
3. Any major issues that may affect implementation of the Bond Improvement Plan.

3.06.050 Substantial Modification of An Adopted Bond Improvement Plan

A substantial modification in the implementation of an adopted Bond Improvement Plan shall not be made except as provided in this section. Any substantial modification in the implementation of an adopted Bond Improvement Plan shall require a specific amendment to the ordinance that adopted the plan that is enacted by the Board at a public hearing at least fifteen days notice of which shall be given by publication in a newspaper of general circulation in the County. For purposes of this section, "substantial modification" means any of the following:

1. An increase or decrease in estimated bond costs by twenty-five percent or more.
2. A delay in a project construction or implementation schedule of twelve months or more.
3. A delay in the scheduled sale of bonds of twenty-four months or more.
4. Any project that is not constructed.
5. Any project that is added to those to be constructed.
6. Any increase or decrease in the project scope by twenty percent or more.
7. All changes to a Bond Improvement Plan necessitated by only a portion of the proposed bond questions being approved at the special election.

3.06.060 Capital Planning, Programming and Implementation Review Board

The Board may establish and appoint a committee to monitor or review the implementation of a Bond Improvement Plan.

3.06.070 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.

3.06.080 Implementation of County Bond Projects in Other Jurisdictions

Bond projects authorized by the Board to be implemented by another political subdivision shall not be funded by the County unless an intergovernmental agreement is executed which authorizes the jurisdiction to construct the project. 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 contain at least the following:

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 if 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.

**PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona
this 15th day of April, 1997.**

Chairman, Board of Supervisors

Attest:

Clerk, Board of Supervisors

Approved as to Form:

Civil Deputy County Attorney

Attachment 2

2004 Bond Election Project Fact Sheet

2004 Bond Election Project Fact Sheet

Information Element	Description of Information
Project Title	What is the title that will be used for the project?
Project Location	Address or other physical description of project location, including whether it is inside an incorporated jurisdiction, on tribal land, or in unincorporated Pima County
Project Scope	Detailed description of the project
Project Benefits	What will be the benefits to the public from this project?
Geographic Distribution of Benefits	In terms of geographic location, who will be the primary beneficiaries of this project? Does the project serve a countywide service delivery; is it multi-jurisdictional; is it localized? Document this description
Mandated Service	Does the project further mandate functions of Pima County or another jurisdiction?
Total Estimated Costs	What are the total estimated costs of the project as defined in the Scope? Break down costs by Planning/Design; Construction; Right-of-Way; and Other Costs (administration/public art)
Estimated Revenue Sources	Bond Funding Other Revenues (specify sources and amounts)
Estimated Project Duration and Schedule	Start with how long the major tasks (Planning/Design and Construction, including time for procurement) will take. The next task will be to schedule projects over the ten to twelve years of this bond program
Intergovernmental Agreements	Will intergovernmental agreements be necessary to implement this project; who must be parties to these agreements?
Project Management	Which jurisdiction will be responsible for managing the project from Planning/Design through Construction?
Estimated Future O & M Impacts	What jurisdiction will own and operate the completed project; what will be the estimated <u>additional</u> annual operation and maintenance costs of this project; what jurisdiction will be responsible for these costs; how will O & M costs be funded?

Attachment 3

Projects to be Discussed

Projects to be managed by City of Tucson

City of Tucson Parks

Eastside Sports Complex and Senior Center

Northside Community Park

Southeast Community Park

Houghton Greenway

Julian Wash Linear Park

Arroyo Chico

Atturbury Wash Sanctuary Land Acquisition and Expansion

Pantano Linear Park, 22nd St south to Michael Perry Park

Rio Vista Park River Park

Wilmot Branch Library

Projects to be managed by Pima County, with close coordination with City of Tucson

New Justice Court/Municipal Court Complex

Neighborhood and Housing Reinvestment

Davis-Monthan Air Force Base

Agua Caliente Creek

36th Street Corridor

Habitat at 36th and Kino

Fort Lowell Acquisition & San Pedro Chapel

Performing Arts Center Rehabilitation

Dunbar School

Urban Drainage Infrastructure Program

Santa Cruz River Park, Ajo to 29th St

Santa Cruz River Park, Grant to Fort Lowell

Rillito River Linear Park Completion

Projects to be managed by Town of Marana

Regional Heritage and Cultural Park

Tortolita Trail System

Projects to be managed by Pima County, with close coordination with Town of Marana

Neighborhood and Housing Reinvestment

Ina Road Tire Relocation

Marana Mound Community Site

Los Morteros Preservation

Anza National Historic Trail

Marana Continental Ranch New Library

Urban Drainage Infrastructure Program

Santa Cruz River Park in vicinity of Continental Ranch

Marana Regional Airport Sewer Connection

Projects to be managed by Town of Oro Valley

Naranja Town Site Park

Oro Valley Library Expansion

Projects to be managed by Pima County, with close coordination with Town of Oro Valley

Regional Public Safety Communications System

Kelly Ranch

Steam Pump Ranch Rehabilitation

Honey Bee Village Acquisition

Urban Drainage Infrastructure Program

Canada del Oro River Park, Thornydale to Magee

Projects to be managed by Town of Sahuarita

Anamax Park Multi-Use Ballfield

Bicycle Lane on Sahuarita Road

Projects to be managed by Pima County, with close coordination with Town of Sahuarita

Regional Public Safety Communications System

Neighborhood Reinvestment

Urban Drainage Infrastructure Program

Projects to be managed by City of South Tucson

City of South Tucson Urban Drainage Projects

Projects to be managed by Pima County, with close coordination with City of South Tucson

Regional Public Safety Communications System

Neighborhood and Housing Reinvestment

**Project to be managed by Pima County , with close coordination with
Tohono O'Odham Nation**

Tohono O'Odham Nation Drainage Improvements

Project to be managed by Pima County , with close coordination with Pascua Yaqui Tribe

Pascua Yaqui Tribe Black Wash Flood Control Improvements