

# EXHIBIT K



Oro Valley Town Clerk's Office

REFERENDUM PETITION RECEIPT

Signatures Eligible for Verification

Date: January 20, 2015

Petition Serial No.: OVREF14-01

Committee Name: T.O.O.T.H. in OV

Total Number of Signatures Eligible for Verification: 0 (zero)\*

Julie K. Bower, MMC  
Oro Valley Town Clerk

\*Arizona Revised Statute (ARS) 19-111(B) requires that the official petition serial number shall appear in the lower right-hand corner of each side of each copy of the petition. None of the petition sheets filed contained the petition serial number.

Pursuant to ARS 19-121.01(A), the clerk shall remove sheets for the following reasons:

- (a) Those sheets not attached to a copy of the title and text of the measure.
- (b) The copy of the title and text from the remaining petition sheets.
- (c) Those sheets not bearing the petition serial number in the lower right-hand corner of each side.
- (d) Those sheets containing a circulator's affidavit that is not completed or signed.
- (e) Those sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed.
- (f) Those sheets on which the signatures of the circulator or the notary are dated earlier than the dates on which the electors signed the face of the petition sheet.
- (g) Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.

As stated above, none of the petition sheets contained the petition serial number. In addition, the following errors were also found:

- Sheets not attached to a copy of the title and text of the measure
- Sheets containing a circulator's affidavit that is not completed or signed
- Sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed
- Sheets on which the signatures of the circulator or the notary are dated earlier than the dates on which the electors signed the face of the petition sheet
- Sheets on which the circulator of the petition has not stated whether he is a paid or volunteer circulator (as required by ARS 19-101)

# EXHIBIT L

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

TOWN OF ORO VALLEY  
CLERK'S OFFICE  
RECEIVED:

TOWN OF ORO VALLEY

JAN 16 2015

The undersigned intends to circulate and file an **INITIATIVE** or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the **MEASURE** or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be **INITIATED** or **REFERRED** (circle appropriate word) at the next general election.

**SUMMARY:** A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

1. The Resolution approves the acquisition of the El Conquistador Country Club, Golf & Tennis Facilities & authorizes the Town Manager to complete the \$1,000,000.00 acquisition.

Debra Arrett  
Signature of Applicant  
Debra Arrett  
Printed Name of Applicant  
13870 N Buckingham Dr.  
Address  
Oro Valley AZ 85755  
City State Zip  
520.825.5703  
Telephone Number

T.O.O.Th in OV 2  
Name of Organization (if any)  
13870 N Buckingham Dr  
Address  
Oro Valley AZ 85755  
City State Zip  
520.825.5703  
Telephone Number  
Debra Arrett, Chairman  
Name of Officer and Title  
13870 N Buckingham Dr  
Address  
Oro Valley AZ 85755  
City State Zip  
520.825.5703  
Telephone Number

Date of Application 1/16/15  
Signatures Required 1,148  
Deadline for Filing 1/16/15  
Serial Number Issued OVREF15-01  
FOR OFFICE USE ONLY

Lori Pettijohn Treasurer  
Name of Officer and Title  
12525 N. Copper Queen Way  
Address  
Oro Valley, AZ 85755  
City State Zip  
520-797-6640  
Telephone Number

TOWN OF ORO VALLEY  
 CLERK'S OFFICE  
 DATE RECEIVED:  
 JAN 16 2015  
 BY: [Signature]

TOWN OF ORO VALLEY  
 POLITICAL COMMITTEE  
 \$500 THRESHOLD EXEMPTION STATEMENT  
 (REGISTRATION OR TERMINATION)

Election Cycle (year) November General Election 2014		Election Cycle Dates * thru 11/24/2014		COMMITTEE ID # REF15-01	
				<input type="checkbox"/>	Primary
				<input type="checkbox"/>	General
Name of Committee T.O.O.T.H in OV 2					
Address 13870 N Buckingham Dr.					
City Oro Valley	State AZ	Zip Code 85755	Phone Number 520.825.5703	E-Mail Address Debra@myfastmail.com	
Chairman Name Debra Arrett		Chairman Phone Number 520.825.5703		Chairman E-Mail Address Debra@myfastmail.com	
Treasurer Name Lori Pettijohn		Treasurer Phone Number 520-797-6640		Treasurer E-Mail Address lopetti@gmail.com	
<input type="checkbox"/> Candidate Committee or Exploratory Committee		Name of Candidate		Office Sought	
<input checked="" type="checkbox"/> Other Political Committee		Committee Type Referendum			

COMMITTEE REGISTRATION

Date: 1/16/15

The above named committee hereby asserts the following:

- The committee has heretofore neither accepted any contributions nor made any expenditures.
- The committee intends to receive or expend less than \$500.
- The committee will file a Statement of Organization within five business days after expending or receiving monies over the \$500 limit pursuant to A.R.S. §§ 16-902.01 and 16-903(A).
- I understand that I must track any activity related to the Primary and General Election campaigns separately, and must file a Statement of Organization if activity exceeds \$500.
- We, the undersigned, have read all of the applicable laws relating to campaign finance and reporting pursuant to A.R.S. §16-902.01(B)(6) and certify, to the best of our knowledge and belief, that the information contained in this \$500 Threshold Exemption Statement is true, correct and complete.

[Signature]  
 Signature of Chairman

[Signature]  
 Signature of Treasurer

COMMITTEE TERMINATION

Date: \_\_\_\_\_

This is to certify that all contributions received and all expenditures made on behalf of the political committee indicated above did not exceed \$500 for the named election cycle, that the committee will no longer receive any contributions or make any disbursements, that the committee has no outstanding debts or obligations, and that any surplus monies have been disposed of pursuant to A.R.S. § 16-915.01. (Deadline to file termination 2/23/2015.)

Signature of Chairman

Signature of Treasurer

\*Beginning of election cycle is 20 days after your last election.

# EXHIBIT M

## Bower, Julie

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**From:** Debra Arrett <debra@myfastmail.com>  
**Sent:** Friday, January 02, 2015 11:42 AM  
**To:** Bower, Julie  
**Cc:** Sidles, Tobin  
**Subject:** Re: Referendum Petitions

Thank you, Julie. I will forward the information to Ben Love.

Debra Arrett

On Jan 2, 2015, at 9:44 AM, Bower, Julie <[jbower@orovalleyaz.gov](mailto:jbower@orovalleyaz.gov)> wrote:

Hi, Debra

We follow state statutes with regard to the referendum process. The Town Clerk has 20 business days to process the petitions and select a 5% random sample (this process is not open to the public). The sample is sent to the County Recorder and the Recorder has 15 business days to verify the signatures randomly selected are those of eligible voters. You would have to check with the county to see if the public is allowed to watch their validation process.

Thanks, Julie

Julie K. Bower, MMC  
Oro Valley Town Clerk  
11000 N. La Canada Dr.  
Oro Valley, AZ 85737  
520-229-4740

**From:** Debra Arrett [<mailto:debra@myfastmail.com>]  
**Sent:** Thursday, January 01, 2015 7:52 PM  
**To:** Bower, Julie  
**Cc:** Ben Love  
**Subject:** Referendum Petitions

Hi Julie,

Sun City Oro Valley resident Ben Love asked me about the process if and when petitions for a referendum are submitted on or before January 15, 2015. I had no idea and when I checked online I found an *Initiative, Referendum & Recall Handbook* published by the Arizona Secretary of State in 2013. I learned that many jurisdictions utilize the Handbook. However, there may be differences between state and local policies.

Please confirm that you (Town Clerk) have up to 20 days to validate the signatures (a 5% random sample of signatures) and explain the process used. Ben specifically wondered if voters are able to watch the validation and if they are later validated again by the County.

Julie, thank you for any information you can provide.

Debra Arrett

## **Bower, Julie**

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**From:** Debra Arrett <debra@myfastmail.com>  
**Sent:** Wednesday, January 21, 2015 2:12 PM  
**To:** Bower, Julie  
**Cc:** Sidles, Tobin; barbarafass@comcast.net  
**Subject:** Re: Verification Challenge

I do believe you and the Town Attorney are mistaken. I did not ask for legal advise. The question was from an Oro Valley resident who asked the Town Clerk a question about process and regulations. The Town Clerk is an extension of the Secretary of State. The Town Attorney and the Town Clerk work for the Town of Oro Valley and not for four members of the Town Council.

Thank you for your consideration. I will now contact the Secretary of State.

Debra Arrett

On Wed, Jan 21, 2015, at 12:59 PM, Bower, Julie wrote:

Hi, Debra

Sorry, but on the advice of the Town's attorney, I am not allowed to answer your question because it would be providing legal advice. Please contact independent legal counsel as quickly as possible regarding your question.

Thanks, Julie

Julie K. Bower, MMC  
Oro Valley Town Clerk  
11000 N. La Canada Dr.  
Oro Valley, AZ 85737  
520-229-4740

**From:** Debra Arrett [mailto:debra@myfastmail.com]  
**Sent:** Wednesday, January 21, 2015 1:46 PM  
**To:** Bower, Julie  
**Subject:** Verification Challenge

Hi Julie,

Please confirm that I have up to 10 days to challenge your decision on verification of signatures on a petition for a referendum.

Debra Arrett

## Bower, Julie

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**From:** Debra Arrett <djarrett45@aol.com>  
**Sent:** Wednesday, January 21, 2015 8:24 PM  
**To:** Bower, Julie  
**Subject:** Council Meeting

Hi Julie,

I did not mention your name when I spoke last night and I intentionally did not even look at you, because I know you were just doing what you were told to do.

However, for future reference, you need to consider that your position is an extension of the Secretary of State.

FYI, I will be coming in tomorrow or Friday to recount the signatures that were submitted last Friday and to review those you disqualified. I realize it does not impact the issue, but I owe it to the SCOV residents to determine who submitted the petitions that were not accepted.

Debra Arrett

Sent from my iPad.

# EXHIBIT N



JAN 16 15PM 4:58 TOV

Oro Valley Town Clerk's Office

INITIAL RECEIPT

Referendum Petition Sheets

Date: 1-16-15

Petition Serial No.: OV REF 15-01

Committee Name: T.O.O.Th in OV 2

Filed by: *Debra Arrett*  
Signature

Debra Arrett Chairperson  
Print Name & Title

Estimated Number of Petition Sheets: ~~1070~~

Estimated Number of Signatures: 1070

Received by: *J. Bower*  
Signature

Julie K. Bower, Town Clerk  
Print Name & Title

Pursuant to A.R.S. 19-121, after the issuance of the receipt, no additional petitions may be accepted for filing.

# EXHIBIT O

Town of Oro Valley Initiative or Referendum

JAN 16 15PM 4:59 TOV

I, Debra Arvett, a legal representative of the committee  
T.O.O.Th in OV 2 (if applicable) and pursuant to Arizona Revised  
Statutes Title 19, hereby swear and affirm:

- 1) That I/we understand that once petitions have been turned in no further petitions or signatures may be accepted, added to or removed.
- 2) That I/we did not rely on any advice from any Town or government staff or employees in either preparing these petitions or gathering these signatures.
- 3) That I/we was/were advised to consult with private legal counsel prior to preparing these petitions and/or acquiring signatures.
- 4) That I/we understand that these petitions and/or signatures must be strictly construed under Arizona case law for any flaws, which may result in such petitions or signatures being disallowed.
- 5) That I/we understand that any such action by Town or other government staff in disallowing either petitions or signatures is not the result of any bias, political activity or ill will, but simply involves following statutory requirements.

Dated this 16 day of January, 2015.

Debra Arvett

(Name)

Representing

T.O.O.Th in OV 2

# EXHIBIT P



Oro Valley Town Clerk's Office

REFERENDUM PETITION RECEIPT

Signatures Eligible for Verification

Date: January 20, 2015

Petition Serial No.: OVREF15-01

Committee Name: T.O.O.T.H. in OV2

Total Number of Signatures Eligible for Verification: 900\*

Julie K. Bower, MMC  
Oro Valley Town Clerk

\*On January 16, 2015, 92 petition sheets containing 1,054 signatures was filed with the Town Clerk's Office. Although the total number of signatures submitted was less than the minimum number of signatures required – 1,148 - for a sufficient petition, the Clerk's Office did review the sheets for conformance to state statute. Sheets were removed pursuant to ARS 19-101 and 19-121.01(A) for the following reasons:

- Sheets not containing the referendum description as set out on the petition serial number application
- Sheets not bearing the petition serial number in the lower right-hand corner of each side
- Sheets containing a circulator's affidavit that is not completed or signed
- Sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed