ORDINANCE No. 698

ORDINANCE CALLING A BOND ELECTION FOR NOVEMBER 8, 2016; MAKING PROVISIONS FOR CONDUCTING THE ELECTIONAND OTHER MATTERS RELATED TO SUCH ELECTION

THE STATE OF TEXAS §
COUNTY OF BURNET §
CITY OF GRANITE SHOALS §

WHEREAS, pursuant to the provisions of Chapters 1251 and 1331, Texas Government Code, as amended, the Texas Election Code, as amended, and other related statutes the City Council of the City of Granite Shoals, Texas (the "City') is authorized to call an election in order to submit to the voters of the City a proposition regarding the issuance of tax bonds;

WHEREAS, the City Council deems it advisable to call a bond election to be held on November 8, 2016 for the proposition hereinafter stated;

WHEREAS, the City Council finds that holding a bond election on this date is in the public interest; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance is being adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS THAT:

1. **ELECTION DATE, POLLING PLACES AND ELECTION JUDGES**. An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on Tuesday, November 8, 2016. The City is located entirely in Burnet County and therefore the Burnet County Elections Administrator is conducting the election pursuant to an election agreement (the "Election Agreement") between the City and Burnet County, as authorized under Section 31.092 of the Texas Election Code. The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and a joint election agreement to be entered into between the City and the other participating entities located in Burnet County, which are holding an election on November 8, 2016. The City election precincts and polling places within the City designated for holding the election shall be determined by Burnet County and conducted at the polling places used for the Burnet County General Election attached hereto as Exhibit "A" to this Ordinance which exhibit is incorporated by reference for all purposes. Exhibit "A" may be revised as necessary to conform to final county polling locations. Burnet County's election equipment shall be used to conduct the bond election. The election judges and clerks shall be appointed in accordance with the Election Agreement and the Texas Election Code, as amended.

2. **CONDUCT OF ELECTION.** As authorized by Chapter 31, Subchapter D of the Texas Election Code, the City Council hereby appoints the Burnet County Elections Administrator, Doug Ferguson, as the election officer for the purpose of conducting the November 8, 2016 Bond Election. This appointment includes services as Early Voting Clerk for the Election, Counting Station Manager, Presiding Judge of the Central Counting Station, and Tabulation Supervisor.

In addition and in accordance with Chapter 66 and Chapter 31 of the Texas Election Code, the City Council hereby appoints Burnet County Elections Administrator, Doug Ferguson, as agent for the Custodian of Records ("Agent") for the November 8, 2016 Bond Election for the purpose of preserving voted ballots and other election records as required by the Texas Election Code.

3. **EARLY VOTING.** Early voting in the election by personal appearance shall be conducted at the times, dates and polling places as provided for in the Burnet County General Election attached hereto as Exhibit "B" to this Ordinance which exhibit is incorporated by reference for all purposes. Exhibit "B" may be revised as necessary to conform to final county early voting polling locations. Doug Ferguson is the Early Voting Clerk for Burnet County. Application for ballots by mail for Burnet County voters should be sent to Doug Ferguson, Elections Administrator, Burnet County Elections, 220 South Pierce, Burnet, Texas 78611.

4. **EARLY VOTING BALLOT BOARD.** Early voting ballot boards are hereby created to process early voting results, and the Presiding Judge of the board will be appointed by the Burnet County Elections Administrator. The Presiding Judge shall appoint not less than two resident nor more than eighteen (18) qualified electors to serve as members of the Early Voting Ballot Boards.

5. **VOTERS.** All resident, qualified electors of the City shall be entitled to vote at the election.

6. **NOTICE.** A substantial copy of this Ordinance, with such omissions authorized by law, shall serve as a proper notice of the election. Such notice, including a Spanish translation thereof, shall be posted on the bulletin board used by the City to post notices of meetings and at City Hall not less than twenty-one (21) days prior to the date the election is to be held, and shall remain posted through election day. In addition to the foregoing, this Ordinance, including a Spanish translation thereof, shall be (i) posted on election day and during early voting by personal appearance in a prominent location at each polling place; (ii) posted in three (3) public places in the boundaries of the City no later than twenty-one (21) days before the election; and (iii) posted on the City's Internet website during the twenty-one (21) days before the election if the City maintains an Internet website.

Such notice, including a Spanish translation thereof, shall be published in *The Highlander*, a newspaper of general circulation in the City, on the same day in each of two successive weeks with the first publication occurring not earlier than the thirtieth (30th) day or later than the fourteenth (14th) day prior to the day of the election.

The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

7. VOTING DEVICES. In all respects, the election shall be conducted in accordance with the Texas Election Code and the Federal Help America Vote Act. Every polling place used in Burnet County for this election will have at least one disabled access voting device such as a Direct Recording Electronic voting device available for election day voting and early voting. The Burnet County Voter Registrar may also utilize a central counting station as provided by Section 127.000 et seq., as amended, Texas Election Code. Any central counting station presiding judge and the alternate presiding judge shall be appointed in accordance with the Election Agreement and the Texas Election Code.

8. PROPOSITION. At the election, the following BOND PROPOSITION shall be submitted in accordance with law:

PROPOSITION

Shall the City Council of the City of Granite Shoals, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of $3,000,000 with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, improving, extending, expanding, upgrading and/or developing Phillips Ranch Road, Prairie Creek Road and Valley View Lane, including related utility relocation, drainage, sidewalks, traffic safety and operational improvements, the purchase or acquisition of any necessary rights-of-way and easements and other related costs; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?

9. OFFICIAL BALLOTS. Voting in the election for the proposition shall be by the use of electronic or paper ballots which shall show the proposition in both English and Spanish and which shall conform to the requirements of federal law, including the Help America Vote Act and the Texas Election Code, as amended. The official ballots for the election shall be prepared so as to permit the electors to vote "FOR" or "AGAINST" the PROPOSITION set forth above with the ballots to contain such provision, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

FOR [ ] THE ISSUANCE OF $3,000,000 TAX BONDS FOR IMPROVEMENTS TO PHILLIPS RANCH ROAD, PRAIRIE CREEK ROAD AND VALLEY VIEW LANE

AGAINST [ ]

10. CONDUCT IN ACCORDANCE WITH LAW. In all respects the election shall be conducted in accordance with State and federal law including the Texas Election Code and the Help America Vote Act.

11. SECTION 3.009(b) OF THE TEXAS ELECTION CODE. Solely for purposes of compliance with Section 3.009(b) of the Texas Election Code, set forth in Exhibit "C" attached hereto is the information required in a document ordering a bond election in accordance with Section 3.009(b) of the Texas Election Code. Exhibit "C" is hereby incorporated by reference for all purposes.

12. RESULTS. The Burnet County Voter Registrar shall conduct an unofficial tabulation of results after the closing of the polls on November 8, 2016. The official canvass and tabulation of the results of the Special Election shall be conducted by the City Council at a Special Council Meeting in accordance with the Election Code.

13. PROVISIONS. The provisions of this Ordinance are severable; and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. The Mayor and the City Secretary are authorized and directed to take any action necessary to carry out the provisions of this Ordinance.

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READ, PASSED, AND ADOPTED on this August 22, 2016.

Mayor, City of Granite Shoals, Texas

ATTEST:

City Secretary, City of Granite Shoals, Texas

EXHIBIT A

ELECTION DAY VOTING

CITY OF GRANITE SHOALS - Burnet County Election Day Polling Locations

November 8, 2016 - 7:00 a.m. to 7:00 p.m.

Precinct 3 - Grace United Methodist Church
Precinct 18 - Granite Shoals Fire Station

SUBJECT TO CHANGE

EXHIBIT "B"

EARLY VOTING

CITY OF GRANITE SHOALS - Burnet County Early Voting Locations

See Attached Schedule

SUBJECT TO CHANGE

NOVEMBER 8, 2016

el 8 de noviembre de 2016

GENERAL AND LOCAL ELECTIONS

ELECCIONES GENERAL Y LOCALES

Burnet County, Texas

Condado de Burnet, Texas

Early Voting Locations and Hours

Sitios y Horarios de Votación Adelante

Polling Place *Sitio de Votación*	**Address** Domicilio	**City** Ciudad
Burnet County Courthouse	**220 S. Pierce St.**	**Burnet, TX 78611**
Marble Falls Courthouse South Annex	**810 Steve Hawkins Pkwy.**	**Marble Falls, TX 78654**

Sunday *Domingo*	Monday *Lunes*	Tuesday *Martes*	Wednesday *Miércoles*	Thursday *Jueves*	Friday *Viernes*	Saturday *Sábado*
	October 24 el 24 de oct. **8am-5pm**	***October 25*** el 25 de oct. **8am-5pm**	***October 26*** el 26 de oct. **8am-5pm**	***October 27*** el 27 de oct. **8am-5pm**	***October 28*** *el 28 de oct.* **8am-5pm**	***October 29*** *el 29 de oct.* **8am-5pm**
	October 31 el 31 de oct. **7am-7pm**	***November 1*** el 1 de nov. **7am-7pm**	***November 2*** *el 2 de nov.* **7am-7pm**	***November 3*** el 3 de nov. **7am-7pm**	***November 4*** el 4 de nov. **7am-7pm**	

EXHIBIT "C"

INFORMATION REQUIRED PURSUANT TO SECTION 3.009(b) OF THE TEXAS ELECTION CODE[1]

In accordance with the provisions of 3.009(b) of the Texas Election Code, it is hereby found and determined that:

(1) The proposition language that will appear on the ballot is set forth in Section 9 of this Ordinance.

(2) The purpose for which the bonds are to be authorized is set forth in Section 8 of this Ordinance.

(3) The principal amount of the bonds to be authorized is set forth in Sections 8 and 9 of this Ordinance.

(4) As set forth in Sections 8 and 9 of this Ordinance, if the bonds are approved by the voters, taxes sufficient to pay the annual principal of and interest on the bonds, within the limits prescribed by law, may be imposed.

(5) Based upon the bond market conditions on the date this Ordinance is approved, the maximum interest rate for any series of the bonds authorized to be sold by the voters is estimated to be 4.9%, as calculated in accordance with applicable law. Such estimate is based on advice received from the City's financial advisors, which advice takes into account a number of factors, including the timing of the issuance of debt obligations approved by the voters, the maturity schedule for debt obligations issued by the City, and the expected credit ratings of the proposed debt obligations. The estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

(6) As set forth in Section 8 of this Ordinance, if the bonds are approved by the voters, the bonds may be issued in one or more series to mature serially over a period not to exceed 40 years.

(7) As of the beginning of the City's current fiscal year (2015-2016), the aggregate amount of outstanding principal of the City's ad valorem tax debt obligations is $10,936,016.

(8) As of the beginning of the City's current fiscal year (2015-2016), the aggregate amount of outstanding interest on the City's ad valorem tax debt obligations is $3,523,646.

(9) As of the date of this Ordinance, the ad valorem debt service tax rate of the City is $0.2287 per $100.00 valuation of taxable property.

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[1] This information is provided solely for purposes of compliance with Section 3.009(b) of the Texas Election Code and is for illustration purposes only. The information is not a part of the proposition to be voted on and does not create a contract with the voters.