

RESOLUTION NO. 16-2015

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ORDERING A BOND ELECTION FOR CAPITAL IMPROVEMENTS TO BE HELD ON MAY 9, 2015 TO BE HELD IN CONJUNCTION WITH THE JOINT ABILENE CITY COUNCIL, WYLIE INDEPENDENT SCHOOL DISTRICT AND CITY OF IMPACT ELECTION; PROVIDING FOR THE CONDUCT AND THE GIVING NOTICE OF THE ELECTION; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, this City Council finds and determines that it is necessary and advisable to call and hold an election within said City on the propositions hereinafter set forth;

WHEREAS, Notice is hereby given that the polling places will be open from 7:00 a.m. to 7:00 p.m. on May 9, 2015, for voting in a general (regular) election to elect one Councilmember from Place 1 At-Large and one Councilmember from Place 2 At-Large, for the City of Abilene.

WHEREAS, the City, pursuant to Texas Election Code 271 which authorizes political subdivisions of the State of Texas to hold elections jointly in voting precincts if it will be of benefit to the citizens and voters thereof to be served by common polling places and elections are ordered by the authorities of two or more political subdivisions to be held on the same day in all or part of the same territory, intends to hold a joint election with Wylie Independent School District, and the City of Impact; and,

WHEREAS, the City is contracting with the Taylor County Election Administrator to conduct the City of Abilene General and Special Called Bond Election; and,

WHEREAS, the Taylor County Election Administrator has presented a list of persons recommended for appointment by the City as Presiding Election Judges, Alternate Judges, Manager of Central Counting, Tabulation Supervisor, Judge of Central Counting Station, Judge of Early Ballot Board and Assistants as attached in Exhibit A; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Section 1. Findings.

The statements contained in the preamble of this Resolution are true and correct and are adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered: Propositions.

An election shall be held in the City of Abilene, Texas, on May 9, 2015, at which election the following propositions shall be submitted in accordance with law:

PROPOSITION NO. 1

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$45,975,000, for the public purpose of constructing, improving, extending, expanding, upgrading and developing streets and roads, including related utility relocation, landscaping, sidewalks, traffic

safety and operational improvements, drainage, the purchase of any necessary right-of-way, and other related costs; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 2

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$2,810,000, for the public purpose of constructing, installing and equipping improvements and renovations to the City's civic center; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 3

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$3,820,000, for the public purpose of constructing, installing and improving City sidewalks, and the acquisition of land and interests in land necessary therefor; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 4

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$12,865,000, for the public purpose of constructing, improving and equipping public safety facilities for the fire and police departments consisting of fire stations, fire training facility and storage and maintenance facilities, with any surplus funds to be used for the construction, renovation and equipment of fire stations; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to

pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 5

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$1,030,000, for the public purpose of constructing, improving and equipping improvements and additions to the City's zoo; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 6

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$6,000,000, for the public purpose of constructing, installing and equipping parks and recreational facilities at Rose Park, including a swimming pool and other aquatic features; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 7

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$2,500,000, for the public purpose of constructing, installing and equipping splash pads at municipal parks; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 8

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$1,490,000, for the public purpose of constructing, installing and equipping parks and recreational facilities along Cedar Creek Waterway and Lytle Creek, including trails, picnic areas and water features, and the acquisition of land and interest in land necessary therefor; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 9

Shall the City Council of the City of Abilene, Texas, be authorized to issue and sell the bonds of said City in the aggregate principal amount of \$4,200,000, for the public purpose of constructing, installing and equipping runways, taxiways and other improvements at the City's airport, with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said city in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

Section 3. Official Ballots.

The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" on the propositions with the ballots to contain such provisions, markings and language as required by law, and with such propositions to be expressed substantially as follows.

PROPOSITION 1

FOR () THE ISSUANCE OF \$45,975,000 TAX BONDS FOR STREET AND
AGAINST () ROAD IMPROVEMENTS

PROPOSITION 2

FOR () THE ISSUANCE OF \$2,810,000 TAX BONDS FOR CIVIC CENTER
AGAINST () IMPROVEMENTS

PROPOSITION 3

FOR () THE ISSUANCE OF \$3,820,000 TAX BONDS FOR SIDEWALKS
AGAINST ()

PROPOSITION 4

FOR () THE ISSUANCE OF \$12,865,000 TAX BONDS FOR FIRE AND POLICE
DEPARTMENT FACILITIES
AGAINST ()

PROPOSITION 5

FOR () THE ISSUANCE OF \$1,030,000 TAX BONDS FOR ZOO
IMPROVEMENTS
AGAINST ()

PROPOSITION 6

FOR () THE ISSUANCE OF \$6,000,000 TAX BONDS FOR AQUATIC AND
OTHER PARK AND RECREATIONAL FACILITIES AT ROSE PARK
AGAINST ()

PROPOSITION 7

FOR () THE ISSUANCE OF \$2,500,000 TAX BONDS FOR SPLASH PADS AT
MUNICIPAL PARKS
AGAINST ()

PROPOSITION 8

FOR () THE ISSUANCE OF \$1,490,000 TAX BONDS FOR PARK AND
RECREATIONAL FACILITIES ALONG CEDAR CREEK WATERWAY
AGAINST ()

PROPOSITION 9

FOR () THE ISSUANCE OF \$4,200,000 TAX BONDS FOR AIRPORT
IMPROVEMENTS
AGAINST ()

An election shall be held in the City of Abilene, Texas, on May 9, 2015, electing one Councilmember from Place 1 At-Large and one Councilmember from Place 2 At-Large.

Section 5: Taylor County Vote Centers.

The election shall be held on election day at the polling places designated by the Taylor County Elections Administrator (the "Elections Administrator") in accordance with the provisions of a joint election agreement and contract for election services with the Elections Administrator (the "Election Services Contract"). The locations of such polling places are set forth in Exhibit A attached hereto and incorporated herein. Exhibit A shall be modified to include additional or different election day polling places designated by the Elections Administrator and to conform to the Election Services Contract.

Section 6. Early Voting.

(a) The Early Voting Polling Places for conducting early voting by personal appearance, and the address for early voting by mail, for said election only are as described and set forth in Exhibit A attached hereto. Exhibit A shall be modified to include additional or different early voting polling places designated by the Elections Administrator and to conform to the Election Services Contract. Kristi Allyn, the Taylor County Elections Administrator, shall serve as the early voting clerk in accordance with the terms of an Election Services Contract

(b) The early voting ballots shall be canvassed by the Early Voting Ballot Board, which shall be appointed and designated in accordance with the provisions of the Election Services Contract.

Section 7. Voting Hours; Period for Early Voting by Personal Appearance.

(a) On election day the polls shall be open from 7:00 A.M. to 7:00 P.M.

(b) The dates and hours for early voting by personal appearance at the Early Voting Polling Places shall be as described in Exhibit A hereto.

Section 8. Election Officers. The persons to serve as officers to conduct said election shall be appointed in accordance with the Texas Election Code and the Election Services Contract.

Section 9. Persons Qualified to Vote.

All resident qualified electors of said City shall be permitted to vote in said election.

Section 10. Required Information.

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

- (a) The proposition language that will appear on the ballot is set forth in Section 3 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 2 hereof.
- (c) The principal amount of the bonds to be authorized is set forth in Sections 2 and 3 hereof.
- (d) As set forth in Sections 2 and 3 hereof, if the bonds are approved by the voters, the City Council will be authorized to levy annual ad valorem taxes on all taxable property in the

City, within the limits prescribed by law, sufficient to pay the annual principal of and interest on the bonds and provide a sinking fund to pay the bonds at maturity.

- (e) Based upon the bond market conditions at the date of adoption of this Resolution, the maximum interest rate for any series of the bonds is estimated to be 5.00% as calculated in accordance with applicable law. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such 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.
- (f) As set forth in Section 7 hereof, if the bonds are approved, they may be issued in one or more series over a period not to exceed 40 years.
- (g) The aggregate amount of the outstanding principal of the City's debt obligations which are secured by ad valorem taxes as of the beginning of the City's 2014-2015 fiscal year is \$148,995,000.
- (h) The aggregate amount of the outstanding interest of the City's debt obligations which are secured by ad valorem taxes as of the beginning of the City's 2014-2015 fiscal year is \$63,583,859.
- (i) The ad valorem debt service tax rate for the City for the 2014-2015 fiscal year is \$0.1645 per \$100 of taxable assessed valuation.

Section 11. Effective Date.

In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Resolution shall be effective immediately upon its adoption by the City Council.

[Execution page follows]

APPROVED-AND ADOPTED this February 26, 2015

Tom McEliff
Mayor

ATTEST:

Vanetta King
City Secretary

APPROVED:

David Gates
City Attorney

[CITY SEAL]

EXHIBIT A

**City of Abilene, Texas
Bond Election/General Election
May 9, 2015**

Election Day Vote Centers

Abilene City Hall	555 Walnut St	Abilene, TX
Buffalo Gap City Hall	709 Litel Street	Buffalo Gap, TX
Church of Christ – So. 11th & Willis	3333 South 11th Street	Abilene, TX
Cobb Park Recreation Center	2302 State Street	Abilene, TX
Elm Valley Community Church	142 CR 675	Tuscola, TX
First Baptist Church – Tuscola	632 Kent Street	Tuscola, TX
Hillcrest Church of Christ	650 E. Ambler Avenue	Abilene, TX
Kmart	4565 South 1st Street	Abilene, TX
Lawn Baptist Church	518 Avenue D	Lawn, TX
Lytle South Baptist Church	1125 E. Industrial Blvd.	Abilene, TX
Merkel Middle School Gym	South 3rd & Ash Street	Merkel, TX
New Beginnings United Pentecostal Church	5535 Buffalo Gap Road	Abilene, TX
River of Life Church	539 Hwy 83/84	Abilene, TX
Sears Park Recreation Center	2250 Ambler Avenue	Abilene, TX
Southern Hills Church of Christ	3666 Buffalo Gap Road	Abilene, TX
Southwest Park Baptist Church	2901 South 20th Street	Abilene, TX
Taylor County Plaza	400 Oak Street	Abilene, TX
Thomas Elementary School	1240 Lakeside Drive	Abilene, TX
View Baptist Church	250 Boynton Road	Abilene, TX
Westminster Presbyterian Church	4515 South 14th Street	Abilene, TX
Zion Lutheran Church	2801 Antilley Road	Abilene, TX

City Voters may vote at any of the Election Day Vote Centers.

Early Voting

Any voter who is entitled to vote an early ballot by personal appearance may do so at any Early Voting Polling Place listed below.

Early voting by personal appearance:

Taylor County Plaza
400 Oak Street, Suite 101

April 27th – May 1st from 8:00 a.m. – 5:00 p.m.

Extended Hours May 4th & May 5th from 7:00 a.m. – 7:00 p.m.

Early Branch Locations:

Abilene City Hall
555 Walnut St.

April 27th – May 5th from 8:00 a.m. – 5:00 p.m.

Books A Million – Mall of Abilene
4310 Buffalo Gap Road
Abilene, Texas

April 27th – May 5th from 10:00 a.m. – 6:00 p.m.

Kmart
4565 South 1st Street
Abilene, Texas

April 27th – May 5th from 10:00 a.m. – 6:00 p.m.

Wylie Independent School District Mobile Early Voting Locations

Monday, April 27th

Early Childhood Campus
6249 Buffalo Gap Road

8:00 a.m. – 11:00 p.m. and 5:00 p.m. – 7:00 p.m.

Tuesday, April 27th

Early Childhood Campus
6249 Buffalo Gap Road

8:00 a.m. – 11:00 p.m.

Junior High Campus
4010 Beltway South

1:30 p.m. – 3:00 p.m.

Early Childhood Cafeteria
6249 Buffalo Gap Road

4:00 p.m. – 5:30 p.m.

Wylie High School
4502 Antilley Road

6:30 p.m. – 8:30 p.m.

Wednesday, April 27th

Early Childhood Campus
6249 Buffalo Gap Road

8:00 a.m. – 11:00 p.m.

Thursday, April 27th

Early Childhood Campus
6249 Buffalo Gap Road

8:00 a.m. – 11:00 p.m.

Intermediate Campus
3158 Beltway South

1:30 p.m. – 3:30 p.m.

Friday, April 27th

Early Childhood Campus
6249 Buffalo Gap Road

8:00 a.m. – 11:00 p.m.

Intermediate Campus
3158 Beltway South

1:30 p.m. – 3:30 p.m.

Monday, April 27th

Elementary Campus
7650 Hardwick Road

8:00 p.m. – 11:00 p.m. and 1:00 p.m. – 3:00 p.m.

Tuesday, April 27th
Elementary Campus
7650 Hardwick Road

8:00 p.m. – 11:00 p.m. and 1:00 p.m. – 3:00 p.m.

Early Childhood Campus
6249 Buffalo Gap Road

4:00 p.m. – 6:00 p.m.

Address for Applications for Early Voting by Mail

Applications for mail ballots must be received by 5:00 pm, April 30th, 2015, addressed to Kristi Allyn, Taylor County Election Administrator, P. O. Box 3318, Abilene, Texas 79604.