# Resolution 141-2022

#### **CERTIFICATE FOR RESOLUTION**

THE STATE OF TEXAS	§
COUNTIES OF TAYLOR AND JONES	§
CITY OF ABILENE	§

I, the undersigned City Secretary of said City, hereby certify as follows:

1. The City Council of said City convened in special meeting on the 11<sup>th</sup> day of August, 2022, at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Anthony Williams, Mayor Shane Price, Council Member Lynn Beard, Council Member Donna Albus, Council Member Weldon W. Hurt, Council Member Kyle McAlister, Council Member Travis Craver, Council Member

and all of said persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written Ordinance entitled

## RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said Ordinance be adopted; and, after due discussion, said motion carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:

AYES: 6 NOES: 0 ABSTENTIONS: 0

2. That a true, full and correct copy of the aforesaid Ordinance adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED AUGUST 11, 2022.



## RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS COUNTIES OF TAYLOR AND JONES CITY OF ABILENE

WHEREAS, this City Council of the City of Abilene, Texas (the "City") finds and determines that it is necessary and advisable to call and hold an election (the "Election") within the City on the propositions hereinafter set forth;

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WHEREAS, the Election is subject to the provisions of the Texas Election Code (the "Code"), and the City is contracting with Taylor and Jones Counties, Texas (the "Contracting Counties") for the administration of the Election pursuant to interlocal agreements with each of the Contracting Counties (together, the "Election Contract"); and

WHEREAS, each of the Contracting Counties, acting through their respective County Elections Administrator (the "Elections Administrator") in accordance with the Election Contract will provide for the administration of the Election for residents of the City; and

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

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

Section 1. Findings. The statements contained in the preamble of this Resolution are true and correct and are adopted as findings of fact hereby, which findings are conclusive and incontestable.

**Section 2. Election Date; Polling Places.** An election shall be held in the City of Abilene, Texas, between the hours of 7:00 a.m. and 7:00 p.m. on November 8, 2022 ("Election Day"). Election Day voting is to be administered by the Elections Administrator, as provided in the Election Contract and the Code. Voting on Election Day shall occur during the hours and at the designated polling places designated as set forth in <u>Exhibit "A"</u> attached hereto, which exhibit shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and the Code.

Section 3. Early Voting. Early voting by personal appearance shall begin on October 24, 2022 and conclude on November 4, 2022, and will be conducted at the designated Early Voting locations on the dates and at the times specified in Exhibit A attached hereto. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the City at such voting place. Exhibit A shall be modified to include additional or different early voting polling places required to conform to the Election Contract and the Code.

**Section 4. Election Officials**. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and any other election officials for the Election shall be made by the Elections Administrator in accordance with the Election Contract

and the Code. The Elections Administrator may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. The City Council hereby authorizes the Mayor, City Manager, or City Secretary to execute or attest on behalf of the City, the Election Contract with the Contracting County.

**Section 5. Voting by Mail**. Applications for voting by mail for all residents of the City shall submitted by personal delivery or shall be mailed or emailed to the applicable addresses below by October 21, 2022.

(a) Applications for voting by mail for all residents of the City shall be sent as follows:

By Mail, Personal Delivery or Email in Taylor County:

Freda Ragan Elections Administrator 400 Oak Street, Suite 101 Abilene, Texas 79602 Phone: (325) 674-1216 Fax: (325) 674-1340 Email: raganfr@taylorcountytexas.org

By Mail, Personal Delivery or Email in Jones County:

> LeeAnn Jennings Elections Administrator 100 Courthouse Square Anson, Texas 79501 Phone:325-823-3762 Fax: (325) 823-3979 Email: leeann.jennings@co.jones.tx.us

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

**Section 7. Qualified Voters**. All qualified electors of and residing in the City, shall be entitled to vote at the election.

Section 8. Proposition. At the Election, the following proposition shall be submitted in accordance with law:

## CITY OF ABILENE, TEXAS PROPOSITION A

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 \$8,000,000 for the public purpose of constructing, improving and equipping Fire Station No. 9 for the Abilene Fire Department, 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 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, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

**Section 9. Official Ballot**. The official ballot for the Election shall be prepared in accordance with the Code, so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid proposition which shall be set forth in substantially the following form:

CITY OF ABILENE, TEXAS SPECIAL ELECTION				
CITY OF ABILENE, TEXAS PROPOSITION A				
FOR	(	)	THE ISSUANCE OF \$8,000,000 TAX BONDS BY THE CITY OF ABILENE,	
			TEXAS FOR CONSTRUCTING AND EQUIPPING PUBLIC SAFETY	
AGAINST	(	)	FACILITIES FOR THE ABILENE FIRE DEPARTMENT, AND LEVYING A	
10/11/01	(	)	TAX SUFFICIENT TO MAKE THE PAYMENTS OF PRINCIPAL AND	
			INTEREST THEREON	

Section 10. Compliance with Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The City hereby finds that the voting system to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the City in its elections.

Section 11. Further Procedures. The City Council hereby authorizes and directs the Mayor, City Manager, Assistant City Manager, City Clerk, City Attorney and all other officers, employees and agents of the City, in consultation with the City Attorney, if necessary, to do and perform all such acts and to execute, acknowledge and deliver in the name and on behalf of the City, such documents, agreements, certificates and other instruments, whether or not mentioned in this Resolution, as may be necessary or desirable in order to carry out the terms, provisions and actions provided for in this Resolution.

**Section 12. 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 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.
- (c) The principal amount of the bonds to be authorized is set forth in Sections 8 and 9 hereof.

(d) 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, sufficient, within the limits prescribed by law, 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 4.00% 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) If the bonds are approved, they may be issued in one or more series over a period not to exceed 40 years from the date of issuance of each series of bonds.

(g) The aggregate amount of the outstanding principal of the City's debt obligations which are secured by ad valorem taxes as of the date of this Resolution is \$119,645,000.

(h) The aggregate amount of the outstanding interest of the City's debt obligations which are secured by ad valorem taxes as of the date of this Resolution is \$41,266,557.

(i) The ad valorem debt service tax rate for the City as of the date of this Resolution is \$0.1832 per \$100 of taxable assessed valuation.

(j) The websites at which additional information pertaining to the Election may be found are:

for the City - <u>https://abilenetx.gov/</u> for Taylor County - <u>https://www.taylorcountytexas.org/214/Current-Election</u> for Jones County - <u>https://www.co.jones.tx.us/page/jones.Elections</u>

Section 13. Effective Date. This Resolution shall be in full force and effect from and after its passage and it is accordingly so ordered.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, this 11<sup>th</sup> day of August, 2022.

ATTEST:

City Secretary, City of Abilene, Texas

Wildont Pro Tem

Mayor, City of Abilene, Texas



APPROVED AS TOFORM: City Attorne

## **Exhibit "A" Election Day Voting Locations and Hours** Tuesday, November 8, 2022 - 7:00 AM to 7:00 PM

Taylor County Election Day Voting Locations

Voters may vote at any of the Taylor County vote centers on Election Day, which list may be found at https://www.taylorcountytexas.org/212/Elections.

Vote Center Abilene City Hall Beltway Park Church North Campus Cesar Chavez Recreation Center Church of Christ–S. 11th & Willis Hillcrest Church of Christ New Beginnings United Pentecostal Oldham Lane Church of Christ River of Life Church Southern Hills Church of Christ Taylor County Plaza Thomas Elementary School View Baptist Church Westminster Presbyterian Church Woodlawn Church of Christ Zion Lutheran Church

Address 555 Walnut Street, Abilene, TX 79601 2850 Hwy 351, Abilene, TX 79601 2250 Ambler Ave., Abilene, TX 79603 3333 S. 11th Street, Abilene, TX 79605 650 E. Ambler Ave., Abilene, TX 79601 5535 Buffalo Gap Road, Abilene, TX 79606 5049 Oldham Lane, Abilene, TX 79602 539 Hwy 83/84, Abilene, TX 79606 3666 Buffalo Gap Road, Abilene, TX 79605 400 Oak Street, Abilene, TX 79602 1240 Lakeside Drive, Abilene, TX 79602 250 Boynton Road, Abilene, TX 79606 4515 South 14th Street, Abilene, TX 79605 922 Woodlawn Drive, Abilene, TX 79603 2801 Antilley Road, Abilene, TX 79606

Room E. Entrance, Main Lobby Entrance Gym West Building, multi-purpose room Gym Main Fover Special Events Room Main Foyer Foyer at Main Sanctuary Suite 101-A Gym Fellowship Hall Gvm Multi-purpose room Large Fellowship Hall

#### Jones County Election Day Voting Locations

Voters may vote at any of the Jones County vote centers on Election Day, which list may be found at https://www.co.jones.tx.us/page/jones.Elections.

> FT Phantom Baptist Church Fellowship Hall 11343 Fm 600 Abilene, Texas 79601

#### Exhibit "B" Early Voting Locations and Hours

#### Taylor County Early Voting Locations

#### MAIN EARLY VOTING LOCATION Taylor County Plaza

Taylor County Plaza	
400 Oak Street, Suite 101-A	
Abilene, TX 79602	
Monday, October 24, 2022 – Friday, October 28, 2022	8:00 AM - 5:00 PM
Saturday, October 29, 2022	7:00 AM - 7:00PM
Sunday, October 30, 2022	12:00 PM - 6:00PM
Monday, October 31, 2022 - Friday, November 4, 2022	7:00 AM - 7:00 PM

#### TEMPORARY BRANCH VOTING LCOATIONS

Address

71001055	
4310 Buffalo Gap Road, Abilene, TX 79605	
555 Walnut Street, Abilene, TX 79601	
1095 N. Judge Ely Blvd., Abilene, TX 79601	
920 N. Willis St., Abilene, TX 79603	
2160 Pine St., Abilene, TX 79601	
3301 S. 14th St., Abilene, TX 79605	

Movie theater corridor E. Entrance, Main Lobby Entrance Entrance Entrance Entrance

Room

Monday, October 24, 2022 – Friday, October 28, 2022	10:00 AM - 7:00 PM
Saturday, October 29, 2022	9:00 AM - 9:00PM
Sunday, October 30, 2022	12:00 PM - 6:00PM
Monday, October 31, 2022 - Friday, November 4, 2022	9:00 AM - 9:00 PM

Jones County Early Voting Location Jones County Activity Center 1108 West Court Plaza Anson, Texas 79501

Monday, October 24, 2022 – Friday, October 28, 2022	8:00 AM - 5:00 PM
Monday, October 31, 2022 - Friday, November 4, 2022	8:00 AM - 5:00 PM

Vote Center Mall of Abilene Abilene City Hall United Supermarket United Supermarket United Supermarket United Supermarket

## <u>Voter Information Document – City of Abilene, Texas Special Election</u> <u>Proposition A</u>

The following information is prepared to comply with Section 1251.052(b), Texas Government Code.

At the Election, the following language will appear on the ballot:

CITY OF ABILENE, TEXAS SPECIAL ELECTION				
			CITY OF ABILENE, TEXAS PROPOSITION A	
FOR	(	)	THE ISSUANCE OF \$8,000,000 TAX BONDS BY THE CITY OF ABILENE,	
			TEXAS FOR CONSTRUCTING AND EQUIPPING PUBLIC SAFETY	
AGAINST	(	)	FACILITIES FOR THE ABILENE FIRE DEPARTMENT, AND LEVYING A	
AGAINST	(	)	TAX SUFFICIENT TO MAKE THE PAYMENTS OF PRINCIPAL AND	
			INTEREST THEREON	

The following table sets forth the estimated principal amount of, and interest due to maturity on, the bonds to be issued if Proposition A passes, and all outstanding obligations of the City secured by and payable from ad valorem taxes.

Principal	Estimated	Estimated	Principal of	Remaining	Combined
Amount of	interest for	combined	City's Existing	interest on	Principal and
Bonds to	Bonds to be	principal and	Outstanding	City's Existing	Interest to timely
be	authorized (1)	interest required	Debt	Outstanding	pay City's
authorized		to pay on time	(as of 8/11/22) <sup>(2)</sup>	Debt $(as of 8/11/22)^{(2)}$	Outstanding Debt $(as of 8/11/22)^{(2)}$
		and in full the		$(as 01 0/11/22)^{-1}$	$(as 01 0/11/22)^{-1}$
		Bonds to be			
		authorized <sup>(1)</sup>			
\$8,000,000	\$4,584,146	\$12,584,146	\$119,645,000	\$41,266,557	\$160,911,557
+ = , = 30,000	+ -,,1	+,- 5 1,1 10	+,- 10,000	+ ,= 50,007	+

- (1) The interest on the proposed bonds was estimated at a rate of 4% (which the City believes is a conservative estimate) based on market conditions as of August 11, 2022, and therefore, the interest payable on the proposed bonds may be less than, or more than, the amounts set forth above based on market conditions at the time of sale of the proposed bonds to be authorized under Proposition A.
- (2) Aggregate of all outstanding obligations of the City secured by and payable from ad valorem taxes as of the date of August 11, 2022. Excludes a portion of the following obligations of the City, which it has designated as selfsupporting:
  - a. Combination Tax and Surplus Revenue Certificates of Obligation, Series 2012 (Waterworks & Sewer)
  - b. General Obligation Refunding Bonds, Series 2013 (Waterworks & Sewer)
  - c. Combination Tax and Surplus Revenue Certificates of Obligation, Series 2013 (Waterworks & Sewer)
  - d. Combination Tax and Surplus Revenue Certificates of Obligation, Series 2014 (Waterworks & Sewer)
  - e. Combination Tax and Surplus Revenue Certificates of Obligation, Series 2015 (Waterworks & Sewer)
  - f. General Obligation Refunding and Improvement Bonds, Series 2016 (Waterworks & Sewer)
  - g. Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2017 (Waterworks & Sewer)
  - h. General Obligation Refunding Bonds, Series 2017 (Waterworks & Sewer)
  - i. Combination Tax and Surplus Revenue Certificates of Obligation, Series 2018 (Waterworks & Sewer)
  - j. Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2019 (Waterworks & Sewer)
  - k. General Obligation Refunding Bonds, Taxable Series 2019 (Waterworks & Sewer)
  - 1. General Obligation Refunding Bonds, Taxable Series 2020 (Waterworks & Sewer)
  - m. Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021B (Local Hotel Occupancy Tax)
  - n. Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022 (Waterworks & Sewer)

Based on the information and assumptions provided in the table above, the estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the City with a taxable appraised value of \$100,000 to repay the proposed bonds, if approved, is calculated based on \$8 billion taxable assessed value. That estimate assumes (i) the bonds issued under Proposition A are projected to be issued in calendar year 2023, (ii) that the bonds that may be approved under Proposition A would be sold with an annual amortization that does not exceed 20 years, (iii) annual growth of the City's taxable assessed valuation at a rate of 0% and (iv) an interest rate that does not exceed 4.25%.