

City of Somerville, 150 8<sup>th</sup> Street, PO Box 159, Somerville, Texas 77879  
Phone: (979) 596-1122 FAX: (979) 596-1931



# NOTICE OF BOND ELECTION

Posted 10/07/2020

For Public Viewing

#### City of Somerville Proposition A

“SHALL the City Council of the City of Somerville, Texas, be authorized to issue general obligation bonds of said City in an amount not to exceed \$400,000 for the purposes of providing funds to improve, repair, and construct water lines, and to improve, repair, and reconstruct the City’s sewer system; such bonds to mature serially or otherwise over a period not to exceed twenty (20) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

#### Proposición A de la Ciudad de Somerville

“¿SE AUTORIZARÁ al Consejo Municipal de la Ciudad de Somerville, Texas, a emitir bonos de obligación general de dicha Ciudad en una cantidad que no exceda \$400,000 con los propósitos de proporcionar fondos para mejorar, reparar y construir líneas de abastecimiento de agua; y para mejorar, reparar y reconstruir el sistema de alcantarillado de la Ciudad; tales bonos vencerán en serie, o de otra manera durante un periodo que no exceda VEINTE (20) años a partir de su fecha, que serán emitidos y vendidos en una o más series a cualquier precio o cualesquiera precios y que devengarán intereses a cualquier tasa o cualesquiera tasas (fija, flotante, variable o de otro tipo y que no exceda la tasa máxima prescrita por la ley) como lo determine el Consejo de la Ciudad en el momento de la emisión o de la venta de los bonos; y si se impondrán impuestos *ad valorem* sobre toda la propiedad imponible en la Ciudad en una cantidad suficiente para pagar el interés anual y permitir un fondo de amortización para pagar los bonos a su vencimiento?”

#### City of Somerville Proposition B

“SHALL the City Council of the City of Somerville, Texas be authorized to issue general obligation bonds of said City in an amount not to exceed \$1,100,000 for the purpose of providing funds to improve, repair, reconstruct, and resurface existing municipal streets within the City; such bonds to mature serially or otherwise over a period not to exceed twenty (20) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

#### Proposición B de la Ciudad de Somerville

“¿SE AUTORIZARÁ al Consejo Municipal de la Ciudad de Somerville, Texas, a emitir bonos de obligación general de dicha Ciudad en una cantidad que no exceda \$1,100,000 con el propósito de proporcionar fondos para mejorar, reparar, reconstruir y repavimentar las existentes calles municipales de la Ciudad; tales bonos vencerán en serie, o de otra manera durante un periodo que no exceda VEINTE (20) años a partir de su fecha, que serán emitidos y vendidos en una o más series a cualquier precio o cualesquiera precios y que devengarán intereses a cualquier tasa o cualesquiera tasas (fija, flotante, variable o de otro tipo y que no exceda la tasa máxima prescrita por la ley) como lo determine el Consejo de la Ciudad en el momento de la emisión o de la venta de los bonos; y si se impondrán impuestos *ad valorem* sobre toda la propiedad imponible en la Ciudad en una cantidad suficiente para pagar el interés anual y permitir un fondo de amortización para pagar los bonos a su vencimiento?”

**PUBLIC NOTICE**

**NOTICE OF BOND ELECTION**

THE STATE OF TEXAS           §  
  §  
COUNTY OF BURLESON       §

TO THE RESIDENT QUALIFIED ELECTORS OF THE CITY OF SOMERVILLE, TEXAS:

**ORDINANCE NO. 020-001**

**AN ORDINANCE CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY OF SOMERVILLE, TEXAS, MAKING PROVISION FOR THE CONDUCT AND GIVING NOTICE OF SAID ELECTION, AND CONTAINING OTHER PROVISIONS NECESSARY AND INCIDENTAL TO THE PURPOSES THEREOF**

WHEREAS, the City Council of the City of Somerville, Texas, hereby finds that an election should be held to determine whether said governing body shall be authorized to issue general obligation bonds of said City in the amount and for the purposes hereinafter identified; and

WHEREAS, the City Council (the "Council") of the City of Somerville, Texas (the "City") has heretofore found that the funding, construction and rehabilitation of certain improvements within the City is in the public interest; and

WHEREAS, the Council has made provision for the conduct of the City bond election to be conducted jointly with other political subdivisions in the area under the authority of Texas Election Code Chapter 271; and

WHEREAS, the City and the Burleson County Elections Administrator have authority, pursuant to Chapter 31, Subchapter D, of the Texas Election Code, to enter into a rental agreement for the City to lease voting equipment from the County for use in the bond election; and

WHEREAS, the City Council hereby finds that it is in the public interest that the City special bond election be conducted as provided for by the City Council;

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

**Section 1. Call of Election; Date; Eligible Electors; and Hours.** A special bond election (the "Election") shall be held on Saturday, May 2, 2020, which is seventy-eight (78) or more days from the date of the adoption of this ordinance (the "Ordinance") within and throughout the territory of the City at which all resident, qualified electors of the City shall be entitled to vote. The Council hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open at the Election shall be from 7:00 a.m. to 7:00 p.m.

**Section 2. Conduct of Election.** The Election shall be conducted by election officers of the City of Somerville, in accordance with the Texas Election Code, Chapter 1251, Texas Government Code, and the Constitution and laws of the State of Texas and the United States of America. The City Secretary will conduct the election for the City and include the City's registered voters. The early voting and election day polling locations shall all be located within the City of Somerville and serve the City's registered voters. Hart Intercivic eSlate DREs shall be utilized for early voting by personal appearance and on election day and also for provisional voting. Paper ballots will be used for early voting by mail.

Pursuant to Chapter 31 of the Texas Election Code, the City will enter into a rental agreement with the County to lease voting equipment from the County for use in the Election. The rental agreement will be presented to the Council for its approval at the March 10, 2020 council meeting.

Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions, that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Council is expressly authorizing this action. Pursuant to Chapter 271 of the Texas Election Code, the Council hereby finds that this Election be conducted under the terms and conditions of one or more agreements to conduct joint elections which agreement(s) will be approved by the Council at the March 10, 2020 council meeting.

**Section 3. Voting Precincts; Polling Places; Election Judges, Alternates, Clerks and other Election Officials.** Except as otherwise provided herein, the presently existing boundaries and territory of the election precincts of Burleson County that are wholly or partially within the territorial boundaries of the City are hereby designated as the voting precincts for the Election. The precinct numbers for the City's election precincts shall be the corresponding precinct number of each precinct as designated by Burleson County. The dates, hours and locations for early voting by personal appearance are included in Section 6 of this Order. The hours and locations for voting on election day are as follows:

Election Day Voting Location  
SISD Administration Building  
625 8<sup>th</sup> Street  
Somerville, Texas

May 2, 2020, 7:00 a.m. through 7:00 p.m.

The Council approves the appointment of persons designated by the City Secretary to serve as election workers. Such proposed presiding judges and alternate judges shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges and clerks of the Election shall be determined according to the City Secretary. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws.

The Council approves the appointment of persons designated by the City Secretary to serve on the Early Voting Ballot Board, the Central Counting Station, and as deputy early voting clerks.

**Section 4.**     **Proposition.** At the Election there shall be submitted to the resident, qualified electors of the City the following propositions (the “Propositions”):

City of Somerville Proposition A

“SHALL the City Council of the City of Somerville, Texas, be authorized to issue general obligation bonds of said City in an amount not to exceed \$400,000 for the purposes of providing funds to improve, repair, and construct water lines, and to improve, repair, and reconstruct the City’s sewer system; such bonds to mature serially or otherwise over a period not to exceed twenty (20) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

City of Somerville Proposition B

“SHALL the City Council of the City of Somerville, Texas be authorized to issue general obligation bonds of said City in an amount not to exceed \$1,100,000 for the purpose of providing funds to improve, repair, reconstruct, and resurface existing municipal streets within the City; such bonds to mature serially or otherwise over a period not to exceed twenty (20) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

**Section 5.**     **Ballots.** The ballot shall be suitable for use with an electronic voting system, and shall otherwise conform to the requirements of the Texas Election Code as to permit the electors to vote “FOR” or “AGAINST” the aforesaid measure which shall appear on the ballot substantially as follows:

**OFFICIAL BALLOT**

**CITY OF SOMERVILLE PROPOSITION A**

[   ] FOR

THE ISSUANCE OF GENERAL OBLIGATION BONDS  
IN THE PRINCIPAL AMOUNT NOT TO EXCEED

\$400,000 FOR THE IMPROVEMENT, REPAIR, AND CONSTRUCTION OF A NEW WATER LINE AND FOR THE REPAIR, IMPROVEMENT, AND RECONSTRUCTION OF THE CITY'S SEWER SYSTEM; AND THE LEVY OF A TAX IN PAYMENT THEREOF.

[ ] AGAINST

**CITY OF SOMERVILLE PROPOSITION B**

[ ] FOR

THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$1,100,000 FOR THE IMPROVEMENT, REPAIR, RECONSTRUCTION, AND RESURFACING OF EXISTING MUNICIPAL STREETS WITHIN THE CITY; AND THE LEVY OF A TAX IN PAYMENT THEREOF.

[ ] AGAINST

**Section 6.** **Early Voting.** Early voting for the election shall be conducted jointly with the participating entities. The City Secretary shall serve as the Early Voting Clerk, and shall appoint any necessary early voting clerks to assist her.

**Early Voting by Mail**

Ballot applications shall be addressed to the Early Voting Clerk at the following address:

Early Voting Clerk  
Rose Rosser  
P.O. Box 159  
Somerville, Texas 77879

If you are submitting your application for ballot by mail by fax or email, the original, hard copy of the application MUST be mailed and received by the early voting clerk no later than the 4<sup>th</sup> business day after it was originally submitted.

For the use of those voters who are entitled by law to vote early by mail, the Early Voting Clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote "FOR" or "AGAINST" the Proposition on the same ballots utilized for early voting by personal appearance at the Election.

The period to apply for a ballot by mail is January 1, 2020, through April 20, 2020. The application must be received by the Early Voting Clerk by April 20, 2020 (mere postmarking by the deadline is insufficient).

**Early Voting by Personal Appearance**



Early voting by personal appearance for the election shall be conducted as follows:

Main Early Voting Polling Place  
SISD Administration Building  
625 8<sup>th</sup> Street  
Somerville, Texas

April 20 – April 24, 2020, 8:00 a.m. through 4:30 p.m.

April 27 – April 28, 2020, 7:00 a.m. through 7:00 p.m.

**Section 7. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results.** In accordance with the requirements of the Election Code, the City election officers shall make and deliver a written return of the Election. The Council shall canvass the returns and declare the results of the Election.

**Section 8. Custodian of Records.** To the extent not otherwise provided for, Ms. Rose Rosser, the City Secretary, is the custodian of records (“Custodian”) and will perform duties related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period beginning the third (3rd) day after the approval of this Ordinance, and ending not earlier than the fortieth (40th) day after the day of the Election. In particular, the Custodian shall accept and maintain records regarding campaign expenditures that may be filed with the City.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period designated in this section. The Custodian shall post notice of the location and hours of office as required by the Texas Election Code. The Custodian shall maintain in office the documents, records and other items relating to the Election and shall be the person designated to receive documents on behalf of the City that are required by the Texas Election Code.

**Section 9. Election Information to be Provided in Spanish.** The City Secretary and all other election officers appointed by the Council responsible for the preparation of notices, instructions, ordinances, resolutions, ballots and other written material pertaining to the Election shall cause each such document to be translated into and furnished to voters in both the English language and the Spanish language in order to aid and assist voters speaking Spanish as a primary or an alternative language to properly participate in the election process. In addition, the City Secretary and other responsible election officers are hereby authorized and directed to make available to the voters having the need of an individual capable of acting as a translator and speaking both English and Spanish languages who will assist Spanish speaking voters in understanding and participating in the election process.

**Section 10. Notice of Election Publication and Posting Requirements.**

Publication of Notice of Election

Notice of the Election, containing a substantial copy of this Ordinance, including a Spanish translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in said City, the first of said publications to appear in said newspaper not more than thirty (30) days and not less than fourteen (14) full days prior to the day of the Election.

#### Posting of Notice of Election

Notice of the Election, containing a substantial copy of this Ordinance, in both the English and Spanish languages, shall also be posted (i) on the bulletin board used to post notices of the Council's meetings, (ii) at three (3) other public places within the City, and (iii) on the City's Internet website, prominently and together with the notice of the election, sample ballot and the contents of the proposition, no later than the twenty-first (21st) day before the Election. Additionally, the Mayor and the City Secretary of the City, in consultation with the City's attorney and bond counsel, are hereby authorized and directed to provide any other manner of notice as authorized by law.

A copy of this Ordinance, in both the English and Spanish languages, shall also be posted in a prominent location at each polling place on election day and at each early voting polling place during early voting by personal appearance.

**Section 11. Debt Service and Tax Rate Information of the City.** The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code and Chapter 1251, Texas Government Code.

- (a) The Proposition language that will appear on the ballot is set forth in Section 5 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Sections 4 and 5 hereof.
- (c) The principal amount of the debt obligations to be authorized is \$1,500,000.
- (d) Taxes sufficient to pay the annual principal of and interest on the general obligation bonds may be imposed.
- (e) The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations in the City and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the City's control, and therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the City's



current estimated project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5.00%.

(f) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed twenty (20) years from the date of issuance of each series of bonds.

(g) The City, as of its fiscal year beginning October 1, 2019, had outstanding an aggregate ad valorem tax-supported principal amount of debt equal to \$736,000.

(h) The aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$113,737.25.

(i) The City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.12619 per \$100 of taxable assessed valuation.

(j) Of the aforementioned City debt, the City considers \$0 and \$0 of that principal and interest, respectively, to be self-supporting debt payable from sources other than ad valorem taxes.

(k) The weighted average maturity of the issue of bonds does not exceed 120% of the reasonably expected weighted average economic life of the improvements and personal property financed with the issue of bonds.

Required Information Under Government Code Section 1251.052(b)(2)

Principal amount of debt obligations to be authorized.	\$1,500,000
Estimated interest for the debt obligations to be authorized.	\$517,500.00
Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized.	\$2,017,500.00
As of February 11, 2020, the principal of all outstanding debts obligations of the city.	\$736,000
As of February 11, 2020, the estimated remaining interest on all outstanding debt obligations of the city.	\$113,737.25
As of February 11, 2020, the estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the city.	\$849,737.25
The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the city with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved,	\$15.53

based upon assumptions made by the city council.	
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If a majority of the resident, qualified electors of the City voting at the election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds shall be authorized in the maximum respective amount contained therein, and the general obligation bonds shall be issued and sold at the price or prices and in such denominations determined by the Council to be in the City's best interests.

City staff shall prepare a voter information document and post such document in accordance with Section 1251.052 of the Texas Government Code.

**Section 12. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City's Attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance.

**Section 13. Preamble Incorporation.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 14. Inconsistent Provisions.** All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters found herein.

**Section 15. Governing Law.** This Ordinance shall be construed and enforced in accordance with the Charter, Ordinances and Resolutions of the City of Somerville, Texas, and the laws of the State of Texas and the United States of America.

**Section 16. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the supplication of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 17. Notice of Meeting.** The Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted on a bulletin board located at a place convenient to the public at the City's administrative offices for at least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the City in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during

which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon.

**Section 18. Authorization to Execute.** The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

**Section 19. Effective Date.** This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED on the 11<sup>th</sup> day of February, 2020.

/s/ Michael Bradford  
Mayor  
City of Somerville, Texas

ATTEST:

/s/ Rose Rosser  
City Secretary  
City of Somerville, Texas

[CITY SEAL]

**ORDINANCE NO. 20-003 (Amendment)**

**AN ORDINANCE AMENDING THE ORDINANCE CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY OF SOMERVILLE, TEXAS, MAKING PROVISION FOR THE CONDUCT AND GIVING NOTICE OF SAID ELECTION, AND CONTAINING OTHER PROVISIONS NECESSARY AND INCIDENTAL TO THE PURPOSES THEREOF; TO APPROVE EARLY VOTING DATES; AND APPROVE OTHER PROVISIONS FOR THE CONDUCT OF SAID ELECTION**

WHEREAS, on February 11, 2020 the City Council of the City of Somerville, Texas, (the "Council"), ordered a Special Bond Election to be held on May 2, 2020 (the "Election"); and

WHEREAS, on April 28, 2020, under the authority given by the Governor of Texas, by a proclamation issued on March 18, 2020, the Council postponed the Election until November 3, 2020; and

WHEREAS, the City Council is authorized pursuant to Chapter 85 of the Texas Election Code to designate the early voting dates; and

WHEREAS, the Council has made provision for the conduct of the City bond election to be conducted jointly with other political subdivisions in the area under the authority of Texas Election Code Chapter 271; and

WHEREAS, the City and the Burleson County Elections Administrator have authority, pursuant to Chapter 31, Subchapter D, of the Texas Election Code, to enter into a contract for election services with the County for the County to conduct the bond election on behalf of the City.

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

**Section 1. Call of Election; Date.** A special bond election shall be held on Tuesday, November 3, 2020, which is seventy-eight (78) or more days from the date of the adoption of this ordinance, (the "Ordinance"), within and throughout the territory of the City of Somerville, (the "City"), as which all resident, qualified electors of the City shall be entitled to vote.

**Section 2. Conduct of Election.** The Election shall be conducted by election officers of the City of Somerville, in accordance with the Texas Election Code, Chapter 1251, Texas Government Code, and the Constitution and laws of the State of Texas and the United States of America. The Burleson County Elections Administrator will conduct the election for the City and the Election shall include the City's registered and qualified voters.

Pursuant to Chapter 31 of the Texas Election Code, the City will enter into a contract for election services with the County for the Burleson County Elections Administrator to conduct the bond election on behalf of the City. The contract for election services will be presented to the Council for its consideration and approval when available.

Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions, that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Council is expressly authorizing this action. Pursuant to Chapter 271 of the Texas Election Code, the Council hereby finds that this Election be conducted under the terms and conditions of one or more agreements to conduct joint elections which agreement(s) will be presented to the Council for its consideration and approval when available.

**Section 3. Polling Places; Election Judges, Alternates, Clerks and other Election Officials.** The polling locations for election day will be presented to the Council for its approval when available. The hours the polling locations will be open on election day will be from 7:00 a.m. until 7:00 p.m.

The Council approves the appointment of persons designated by Burleson County Elections Administrator to serve as election workers. Such proposed presiding judges and alternate judges shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges and clerks of the Election shall be determined according to the Burleson County Elections Administrator. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws.

The Council approves the appointment of persons designated by election officials to serve on the Early Voting Ballot Board, the Central Counting Station, and as deputy early voting clerks.

**Section 4. Early Voting.** Early voting for the election shall be conducted jointly with other participating entities. The Burleson County Elections Administrator shall serve as the Early Voting Clerk and shall appoint any necessary early voting clerks to assist her.

#### Early Voting by Mail

Ballot applications shall be addressed to the Early Voting Clerk at the following address:

Dorothy "DJ" Oliver  
Elections Administrator  
100 West Buck Street, Suite 107  
Caldwell, TX 77836

#### Early Voting by Personal Appearance

Early voting by personal appearance shall be held October 13, 2020 through October 30, 2020.

The locations and hours for early voting by personal appearance will be presented to the Council for its approval when available.



**Section 5. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results.** In accordance with the requirements of the Election Code, the City election officers shall make and deliver a written return of the Election. The Council shall canvass the returns and declare the results of the Election.

**Section 6. Custodian of Records.** To the extent not otherwise provided for, Ms. Rose Rosser, the City Secretary, is the custodian of records ("Custodian") and will perform duties related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period beginning the third (3rd) day after the approval of this Ordinance, and ending not earlier than the fortieth (40th) day after the day of the Election. In particular, the Custodian shall accept and maintain records regarding campaign expenditures that may be filed with the City.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period designated in this section. The Custodian shall post notice of the location and hours of office as required by the Texas Election Code. The Custodian shall maintain in office the documents, records and other items relating to the Election and shall be the person designated to receive documents on behalf of the City that are required by the Texas Election Code.

**Section 7. Debt Service and Tax Rate Information of the City.** The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code and Chapter 1251, Texas Government Code.

- (a) The principal amount of the debt obligations to be authorized is \$1,500,000.
- (b) Taxes sufficient to pay the annual principal of and interest on the general obligation bonds may be imposed.
- (c) The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations in the City and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the City's control, and therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the City's current estimated project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5.00%.
- (d) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed twenty (20) years from the date of issuance of each series of bonds.

(e) The City, as of the time this Election is ordered has outstanding an aggregate ad valorem tax-supported principal amount of debt equal to \$736,000.

(f) The aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$113,737.25.

(g) The City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.12619 per \$100 of taxable assessed valuation.

(h) Of the aforementioned City debt, the City considers \$0 and \$0 of that principal and interest, respectively, to be self-supporting debt payable from sources other than ad valorem taxes.

(i) The weighted average maturity of the issue of bonds does not exceed 120% of the reasonably expected weighted average economic life of the improvements and personal property financed with the issue of bonds.

Required Information Under Government Code Section 1251.052(b)(2)

Principal amount of debt obligations to be authorized.	\$1,500,000
Estimated interest for the debt obligations to be authorized.	\$517,500.00
Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized.	\$2,017,500.00
As of February 11, 2020, the principal of all outstanding debts obligations of the city.	\$736,000
As of February 11, 2020, the estimated remaining interest on all outstanding debt obligations of the city.	\$113,737.25
As of February 11, 2020, the estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the city.	\$849,737.25
The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the city with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved, based upon assumptions made by the city council.	\$15.53

If a majority of the resident, qualified electors of the City voting at the election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds shall be authorized in the maximum respective amount contained therein, and the general

obligation bonds shall be issued and sold at the price or prices and in such denominations determined by the Council to be in the City's best interests.

City staff shall prepare a voter information document and post such document in accordance with Section 1251.052 of the Texas Government Code.

**Section 8.** Except for the amendments described in Subsections 1 – 6 above, in all other respects the February 11, 2020 Ordinance remains in full force and effect.

**Section 9. Preamble Incorporation.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 10. Inconsistent Provisions.** All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters found herein.

**Section 11. Governing Law.** This Ordinance shall be construed and enforced in accordance with the Ordinances and Resolutions of the City of Somerville, Texas, and the laws of the State of Texas and the United States of America.

**Section 12. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 13. Notice of Meeting.** The Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted on a bulletin board located at a place convenient to the public at the City's administrative offices for at least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the City in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon. Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting may be held by videoconference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of COVID-19. Some City Council members may attend the meeting via telephonic or videoconferencing means. This meeting can be viewed live online at the "Keep Somerville Beautiful" Facebook page which can be found at <https://www.facebook.com/WE.ARE.KSB/>.

**Section 14. Authorization to Execute.** The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Council.

**Section 15.** **Effective Date.** This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED on the 11<sup>th</sup> day of August, 2020.

/s/ Michael Bradford  
Mayor  
City of Somerville, Texas

ATTEST:

/s/ Rose Rosser  
City Secretary  
City of Somerville, Texas

[CITY SEAL]