

NOTICE OF ELECTION

STATE OF TEXAS §
 §
COUNTY OF MENARD §

TO THE REGISTERED VOTERS OF THE CITY OF MENARD, TEXAS:

NOTICE IS HEREBY GIVEN THAT an election will be held within the City of Menard, Texas, on Tuesday, November 5, 2019, as provided in Ordinance No. 081919 Calling a Bond Election passed by the City Council of the City of Menard, Texas, a verbatim copy of which Order, as amended, is printed below.

ORDINANCE NO. 081919
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENARD, TEXAS
CALLING A BOND ELECTION;
PROVIDING FOR THE CONDUCT OF THE ELECTION;
AND, APPROVING OTHER MATTERS INCIDENT AND RELATED THERETO

STATE OF TEXAS §
COUNTY OF MENARD §
CITY OF MENARD, TEXAS §

WHEREAS, the City Council of the City of Menard, Texas (the “City”) held a specially called meeting on August 19, 2019, 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 the Texas Government Code, Chapter 551; and,

WHEREAS, the City deems it advisable to call the Bond Election (the “Election”) hereinafter ordered; and,

WHEREAS, it is hereby officially found and determined at said meeting that (1) it is in the public interest that the Election hereinafter ordered should be administered by and conducted jointly with Menard County (the “County”); (2) the Election meets the requirements for a joint election under Chapter 271 of the Texas Election Code; and, (3) it is in the public’s interest for the City to hold the hereinafter called Election on November 5, 2019, a uniform election date established by section 41.001(a) of the Texas Election Code; and,

WHEREAS, the City is contracting with Menard County for administration of the election, which shall be held jointly with Menard County in accordance with the Joint Election and Election Services Agreement (the “Election Agreement”) and the Texas Election Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MENARD, TEXAS:

1. **Findings.** The statements contained in the preamble of this Ordinance are true and correct and adopted as findings of fact and operative provisions hereof.

2. **Election Ordered, Precincts and Polling Places.** The Election shall be held for the City between the hours of 7:00 a.m. and 7:00 p.m. on November 5, 2019 (“Election Day”). Such Election is to be conducted jointly with the County, as provided by Chapter 271 of the Texas Election Code and the Election Agreement.

a. The Election shall occur at the following designated precincts and polling place(s), and with the following election officers, who are hereby appointed to hold said Election:

Menard County Courthouse
County Courtroom
206 E. San Saba Avenue
Menard, Texas 76859

Which consists of those portions of Menard County Voting Precincts 1, 2, 3 and 4 within the City of Menard, Texas

Presiding Judge: Lisa Ziriach
Alternate Judge: Donna Harbour

b. Early voting shall be conducted by personal appearance at the Main Early Voting Place during the period of early voting as required or permitted by law, being October 21, 2019 through November 1, 2019, and during the hours as permitted by law and as listed below:

Menard County Courthouse
County Courtroom
206 E. San Saba Avenue
Menard, Texas 76859

<i>Dates</i>	<i>Times</i>
October 21, 2019 (Monday)	7:00 a.m. to 7:00 p.m.
October 22-October 25, 2019 (Tuesday-Friday)	8:00 a.m. to 5:00 p.m.
October 28, 2019 (Monday)	7:00 a.m. to 7:00 p.m.
October 29-November 1, 2019 (Tuesday-Friday)	8:00 a.m. to 5:00 p.m.

The Main Early Voting Place shall remain open at all times during the above noted hours and dates for early voting by personal appearance.

3. **Election Administration.** The Election shall be administered by Menard County’s designated Election Official on Election Day and for Early Voting as a joint election, pursuant to the terms of the Election Agreement and in accordance with the Texas Election Code, Texas Government Code Chapter 1251, and all applicable state and federal law.

4. **Appointment of Election Officials.** Assistant voting clerks and other election officials for the Election shall be appointed and assigned by Menard County in accordance with the Election Agreement and the Election Code. The County and the City may further 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. The City Secretary and City Manager are hereby authorized to appoint any such other officials not designated herein as necessary and appropriate to conduct the Election in accordance with the Election Code.

5. **Early Voting Clerks and Voting by Mail.**

a. In accordance with the Election Agreement, **Tim Powell** shall be the Early Voting Clerk and **Kyra Ramon** shall be the Deputy Early Voting Clerk.

b. Applications for early voting by mail shall be sent to **Tim Powell** by mail to: PO Box 215, Menard, Texas 76859, or by email to: tim.powell@co.menard.tx.us.

c. Applications for ballot by mail must be received no later than the close of business on October 25, 2019.

6. **Ballot Board.** An Early Voting Ballot Board shall be created to process early voting results of the Election with the Presiding Judge and at least 2 members of the Early Voting Ballot Board to be appointed all in accordance with the Election Agreement and the Election Code.

7. **Persons to Vote.** All qualified electors of and residing in the City shall be entitled to vote at the Election.

8. **Proposition.** At the Election, the following PROPOSITION, setting forth the purpose for which the bonds will be authorized, shall be submitted in accordance with law:

CITY OF MENARD, TEXAS SPECIAL ELECTION
CITY OF MENARD PROPOSITION A

Shall the City Council of the City of Menard, Texas be authorized to issue and sell bonds of the City in one or more series, in the total maximum principal amount of \$4,000,000 for permanent public improvements and public purposes, to wit: designing, constructing, reconstructing and improving streets and roads of the City, including alleys, sidewalks, intersections and other public ways, related drainage, traffic and signal controls, street lighting, landscaping, and incidental utility relocation and related improvements, with said bonds to mature serially over a specified number of years 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 the City Council be authorized to levy and pledge, and cause to be assessed and collected annual ad valorem taxes, within the limits prescribed by law, on all taxable property in the City sufficient to pay the annual interest on the bonds and provide a sinking fund to pay the bonds at maturity?

9. **Ballot.** The official ballot for the Election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote “FOR” or “AGAINST” the aforesaid PROPOSITION with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

CITY OF MENARD, TEXAS SPECIAL ELECTION
CITY OF MENARD PROPOSITION A

_____	FOR)	THE ISSUANCE OF \$4,000,000 OF BONDS OF
)	THE CITY OF MENARD, TEXAS FOR THE
)	DESIGN, CONSTRUCTION, RE-
_____	AGAINST)	CONSTRUCTION AND IMPROVEMENT OF
)	CITY STREETS AND ROADS AND THE LEVY
)	OF A TAX IN PAYMENT THEREOF

10. **Required Information.**

a. The proposition language that will appear on the ballot is set forth in Section 9 above. The purpose for which the bonds are to be authorized is set forth in Section 8 above. The principal amount of the debt obligations to be authorized is \$4,000,000. 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, to pay the amount of principal of and interest on the bonds and provide a sinking fund to pay the bonds at maturity.

b. Based upon current market conditions at the date of the adoption of this Ordinance, the maximum interest rate of the bonds or any series of bonds, if authorized, is estimated to be 5.0%, calculated in accordance with applicable law. Such maximum 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. Market conditions may vary at the time the bonds are sold and affect the available interest rate.

c. As set forth in Section 8 above, if the bonds are approved, they may be issued in one or more series, to mature over a period not to exceed 40 years. The aggregate amount of the outstanding principal of the City's debt obligations secured by a pledge of ad valorem taxes as of the beginning of the fiscal year in which the Election is ordered is \$1,617,000. The aggregate amount of the outstanding interest of the City's debt obligations secured by a pledge of ad valorem taxes as of the beginning of the fiscal year in which the Election is ordered is \$1,091,043. The City's outstanding debt obligations are self-supporting, and the ad valorem tax rate allocable to debt service for the City at the time of the Election is ordered is \$0.00 per \$100 of taxable assessed valuation.

11. **Notice of Election.**

a. Notice of the Election, in both English and Spanish, shall contain a verbatim copy of this Ordinance, and shall contain all information required by law, including the locations and times for early voting and election day voting, as well as the proposition and ballot language to be submitted to the voters (the "Notice"). The Notice shall be published on the same day in each of two successive weeks in a newspaper in the City, or if none is published in the City, in a newspaper of general circulation in the City, with the first Notice to be published not more than the 30 days and not less than the 14 days prior to the day of the Election. In addition, not later than the 21st day prior to the date set for the Election, or not later than the next business day if the 21st day falls on a Saturday, Sunday or legal state holiday, the Notice shall be posted at City Hall.

b. The Notice shall be posted: (i) on election day and during early voting by personal appearance in a prominent location at each polling place; and, (ii) not later than the 21st day before the Election, in 3 public places within the boundaries of the City. During the 21 days before the Election, the Notice shall also be prominently posted on the City's internet web site, if the City has a web site. All other necessary notices shall be posted and delivered, as may be required by law.

12. **Conduct of Election.**

a. The Election shall be administered by the designated Election Official of, and conducted jointly with, Menard County according to the terms of the Election Agreement. The Election Agreement in the form and substance presented at this meeting is hereby approved, and the City Secretary and City Manager are authorized and directed to take appropriate actions on behalf of the City as necessary in connection with each Agreement.

b. To the extent permitted by law, the City Secretary and the City Manager are hereby authorized and may make changes to the Election Agreement, polling places, election judges and officers, notices and election procedures in the event changes are required, or which may become necessary due to circumstances arising after the date of this Ordinance, and are further directed to take any and all action necessary to comply with state and federal law in conducting the Election, whether or not expressly authorized herein.

13. **Effective Date.** In accordance with the provisions of Texas Government Code §1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

PASSED AND APPROVED this 19th day of August, 2019.

/s/
Barbara Hooten, Mayor

ATTEST:

/s/
Jennifer Quintero, City Secretary