

**NOTICE OF BOND ELECTION**

**TO THE RESIDENT, QUALIFIED ELECTORS OF THE CITY OF WALLER, TEXAS:**

**NOTICE IS HEREBY GIVEN** that an election will be held in the CITY OF WALLER, TEXAS, on the 7<sup>th</sup> day of November, 2017, in accordance with the following ordinance

**ORDINANCE NO. 509**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY; AND CONTAINING OTHER PROVISIONS RELATING THERETO**

**WHEREAS**, the City Council of the City of Waller, Texas (the “City”), hereby finds and determines that it is necessary and advisable to call and hold an election in the City for the purpose of submitting propositions pertaining to the issuance of bonds for the purposes described herein; and

**WHEREAS**, the City Council hereby finds and determines that said election shall be held on a uniform election date established by Section 41.001(a) Texas Election Code as required by Texas law; and

**WHEREAS**, City Council, pursuant to the applicable provisions of the Texas Election Code intends to conduct a joint election with other governmental entities within Waller County and to contract with Waller County for election services pursuant to an agreement with Waller County (together, the “Election Agreement”); and

**WHEREAS**, the City Council hereby finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS:**

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

**Section 2. Election Ordered; Date; Propositions.** An election (the “Election”) shall be held for and within the City on Tuesday, November 7, 2017 (“Election Day”), a uniform election date established by Section 41.001(a) of the Texas Election Code (the “Code”). At the Election the following propositions (the “Propositions”) shall be submitted to the qualified voters of the City in accordance with law:

**CITY OF WALLER – PROPOSITION A**

**Shall the City Council of the City of Waller, Texas (the “City”) be authorized to issue bonds of the City, which may be called City of Waller, Texas, General Obligation Bonds, in the amount of \$5,360,000 for the purpose of providing funds for the acquisition, design, construction, improvement and equipment of a new city hall and an adjacent civic plaza to be located on city-owned property, said bonds to mature serially or otherwise not more than forty (40) years from their date or dates, to be issued in various issues or series, to be sold at any price or prices and to bear interest at any rate or rates, not to exceed the maximum rate now or hereafter authorized by law, all as shall be determined within the discretion of the City Council at the time of issuance under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds and the costs of any credit agreements by levying a tax upon all taxable property in the City sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?**

**CITY OF WALLER – PROPOSITION B**

Shall the City Council of the City of Waller, Texas (the “City”) be authorized to issue bonds of the City, which may be called City of Waller, Texas, General Obligation Bonds, in the amount of \$1,315,000 for the purpose of providing funds for the acquisition, design, construction, renovation, improvement and equipment of the Waller Civic Center, which is located at 3007 Waller Street, said bonds to mature serially or otherwise not more than forty (40) years from their date or dates, to be issued in various issues or series, to be sold at any price or prices and to bear interest at any rate or rates, not to exceed the maximum rate now or hereafter authorized by law, all as shall be determined within the discretion of the City Council at the time of issuance under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds and the costs of any credit agreements by levying a tax upon all taxable property in the City sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?

**Section 3. Official Ballot.**

(a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved voting systems and ballots.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote “FOR” or “AGAINST” the Propositions, which shall be set forth on the ballots in substantially the following form:

**CITY OF WALLER – PROPOSITION A**

FOR ) THE ISSUANCE OF \$5,360,000 GENERAL OBLIGATION BONDS FOR THE ACQUISITION, DESIGN, CONSTRUCTION, IMPROVEMENT AND EQUIPMENT OF A NEW CITY HALL AND AN ADJACENT CIVIC PLAZA TO BE LOCATED ON CITY-OWNED PROPERTY, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.  
AGAINST )

**CITY OF WALLER – PROPOSITION B**

FOR ) THE ISSUANCE OF \$1,315,000 GENERAL OBLIGATION BONDS FOR THE PURPOSES OF THE ACQUISITION, DESIGN, CONSTRUCTION, IMPROVEMENT, RENOVATION AND EQUIPMENT OF THE WALLER CIVIC CENTER, WHICH IS LOCATED AT 3007 WALLER STREET, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.  
AGAINST )

**Section 4. Election Materials.** All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in Harris County in English, Spanish, Vietnamese and Chinese. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in Waller County in English and Spanish.

**Section 5. Persons Qualified to Vote.** All resident, qualified electors of the City shall be eligible to vote at the Election.

**Section 6. Election Precincts, Voting Locations and Voting Hours on Election Date.** The election precincts for the Election shall consist of the territory within the boundaries of the City situated within one or more Harris County and Waller County election precincts, which bear the precinct numbers set forth in Exhibit A, attached hereto and incorporated herein. The voting locations for voting on Election Day for each election precinct shall be as set forth in Exhibit A, or at such other locations as hereafter may be designated by Harris County or Waller County without further action by the City. The Mayor or his designee is hereby authorized to update Exhibit A to reflect the locations designated by Harris County or Waller County, and such locations are hereby approved. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

**Section 7. Early Voting Locations, Dates and Times.**

(a) Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, attached hereto and incorporated herein, or at such other locations as hereafter may be designated by

Waller County, as provided in the Election Agreement without further action by the City. The Mayor or his designee is hereby authorized to update Exhibit B to reflect the locations and times designated by Waller County or the Waller County Elections Administrator (the "Elections Administrator"), and such locations are hereby approved.

(b) The Elections Administrator is hereby appointed as the Early Voting Clerk for the Election. Applications for ballot by mail shall be sent to:

Christy A. Eason  
Elections Administrator  
816 Wilkins Street  
Hempstead, Texas 77445

(c) The Elections Administrator's permanent county employees are hereby appointed as early voting clerks. The Elections Administrator is hereby authorized to appoint such other deputy early voting clerks as necessary for the Election as provided in the Election Agreement.

**Section 8. Joint Election.** The City has determined that it is in the best interest of the City to participate in a joint election with other governmental entities within Waller County and to contract with Waller County for election services pursuant to the Election Agreement.

**Section 9. Appointment of Election Officers; Establishment of Central Counting Stations.** The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, polling places may be combined for some precincts, and the central counting station shall be established and staffed all as provided in the Election Agreement and such actions are hereby approved. Further, the City Council hereby authorizes the Mayor to appoint any such other officials not designated herein or appointed pursuant to the Election Agreement as are necessary and appropriate to conduct the Election in accordance with the Code. The Central Counting Stations to receive and tabulate votes shall be at the locations designated by Waller County.

**Section 10. Notice of Election.** Notice of the Election shall be given in the manner required by law.

**Section 11. Conduct of Election.** The Election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

**Section 12. Information Required by Section 3.009 of the Election Code.**

(a) City's Outstanding Debt. As of the October 1, 2016, the first day of the City's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the City was \$3,980,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$817,789.50. The City currently estimates that as of October 1, 2017, the aggregate principal amount of the tax-supported debt of the City will be approximately \$3,645,000, and the aggregate amount of outstanding interest on such tax-supported debt will be approximately \$726,952. The City's total tax rate as of the date of this Ordinance is \$0.5211 per \$100 of assessed valuation of taxable property in the City, which is made up of an operations and maintenance tax rate component of \$0.3798 per \$100 of assessed valuation and an ad valorem debt service tax rate component of \$0.1413 per \$100 of assessed valuation of taxable property in the City.

(b) Issuance of New Debt. The City intends to issue the bonds authorized by the Propositions over a period of years in a manner and in accordance with a schedule to be determined by the City 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 Propositions. 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 estimate of the maximum interest rate expressed below is based on the blended interest rate (taking into account the impact of issue price premium) for a series of bonds. The City currently estimates that, if the Propositions are approved and all of the bonds proposed herein are authorized and issued in accordance with the City's current project plan of finance, the maximum interest rate for a series of bonds is not expected to exceed 5.00%.

(c) Additional Information Required by Section 3.009 of the Election Code. Any additional information required by Section 3.009 of the Code is contained in Sections 2 and 3 of this Ordinance.

**Section 13. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City’s 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 14. Severability.** If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 15. Effective Date.** This Ordinance shall take effect immediately upon adoption.

**PRESENTED, FINALLY PASSED AND APPROVED, AND EFFECTIVE THIS 16<sup>th</sup> DAY OF AUGUST, 2017.**

/s/ Cynthia Ward  
City Secretary, City of Waller, Texas

/s/ Danny Marburger  
Mayor, City of Waller, Texas

[SEAL]

**EXHIBIT A**

**ELECTION DAY SCHEDULE LOCATIONS**

**Tuesday, November 7, 2017 – Polls are open from 7:00 a.m. to 7:00 p.m.**

**ELECTION DAY POLLING LOCATIONS**

**Waller County Precinct No. 208:** Waller ISD Admin Bldg., 2214 Waller St., Waller, TX 77484

**Harris County Precinct No. 049:** Roberts Road Elementary, 24920 Zube Road, Hockley, TX 77447

**EXHIBIT B**

**EARLY VOTING POLLING LOCATIONS AND SCHEDULE**

**EARLY VOTING SCHEDULE**

**Monday, October 23, 2017 through Friday October 27, 2017**

Polls are open from 8 am to 5 pm

**Saturday, October 28, 2017**

Polls are open from 9 am to 1 pm

**Monday, October 30, 2017 through Wednesday, November 1, 2017**

Polls are open from 8 am to 5 pm

**Thursday, November 2, 2017 and Friday, November 3, 2017**

Polls are open from 8 am to 8 pm

**MAIN EARLY VOTING POLLING PLACES**

Waller County Courthouse  
836 Austin St., Hempstead, TX

Waller ISD Administration Building  
2214 Waller St., Waller, TX

Waller Co. Library Brookshire Branch  
3815 6<sup>th</sup> St., Brookshire, TX