

ORDINANCE NO. 2834

ORDINANCE CALLING BOND ELECTION

THE STATE OF TEXAS

§

COUNTIES FORT BEND,

HARRIS AND WALLER

§

WHEREAS, the City Council of the City of Katy, Texas (the "City") deems it advisable to hold an election to ascertain whether the City Council shall be authorized to issue bonds of the City for the purpose hereinafter stated, and

WHEREAS, the City Council wishes to proceed with the ordering of such election,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KATY, TEXAS.

Section 1. All of the facts recited in the preamble hereof are hereby found and determined to be true and correct and are incorporated herein; all acts and conditions required to be performed precedent to the calling of the herein mentioned bond election have been properly completed.

Section 2. An election shall be held in the City of Katy, Texas on the 5th day of May, 2018, which is not less than fifteen (15) days nor more than ninety (90) days from the date hereof, in which all resident, qualified electors of the City shall be entitled to vote. The City Council finds that holding the election on said date is in the public interest. The polls shall be open for voting at such election from 7:00 a.m. to 7:00 p.m. Voting shall be at the designated polling places in each of the two election precincts of the City (being the two wards of the City heretofore established and declared by natural or artificial boundaries or survey lines adopted by the City Council of the City and duly set out in its minutes). The following named persons are hereby appointed officers of said election at said polling places respectively:

<u>Ward No.</u>	<u>Polling Place</u>	<u>Election Officials</u>
A	Katy City Hall 901 Avenue C Katy, Texas 77493	Phillip Sommerfeld, Presiding Judge 6107 T Street Katy, Texas 77493 Elda Suarez, Alternate Judge 1901 Airline Drive Katy, Texas 77493
B	Katy Municipal Court 5432 Franz Road Katy, Texas 77493	Debbie B. Ousley, Presiding Judge 1606 Airline Katy, Texas 77493 Barbara L. Allen, Alternate Judge 1409 Drexel Katy, Texas 77493

Each Presiding Judge shall appoint three qualified voters who are residents of their respective Ward to serve as clerks and shall appoint as many additional clerks as they deem necessary for proper conduct of the election in said Ward, not to exceed the maximum number of five. Each Presiding Judge, Assistant Presiding Judge and Clerk shall receive the sum of \$10.00 per hour for up to 15 hours for serving as Presiding Judge, Assistant Presiding Judge or Clerk. Each Presiding Judge shall receive \$25.00 in addition to such hourly sum. Precinct/Ward total reports shall be delivered to a central counting station, by the Presiding Judge, hereby declared to be the Katy City Hall, 901 Avenue C, Katy, Texas.

The Manager of the Central counting station and Presiding Judge for the Central counting station shall each appoint as many additional clerks as they deem necessary for the proper conduct of their office, not to exceed two each. Each clerk so appointed shall be entitled to compensation at \$10.00 per hour and entitled to a minimum of three hours pay regardless of the number of hours worked. The Tabulation Supervisor for the central counting station shall be entitled to compensation of \$120.00.

Section 3. At the election the following PROPOSITIONS shall be submitted in accordance with law:

CITY OF KATY BOND ELECTION

CITY OF KATY PROPOSITION A

SHALL THE CITY COUNCIL OF THE CITY OF KATY, TEXAS, BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE CITY IN THE AMOUNT OF \$4,250,000 MATURING SERIALLY OR OTHERWISE WITHIN 40 YEARS FROM THEIR DATE OR DATES, AND BEARING INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE CITY COUNCIL AT THE TIME OF ISSUANCE, FOR THE PURPOSE OF THE CONSTRUCTION OF STREETS AND RELATED DRAINAGE IMPROVEMENTS, AND TO LEVY TAXES UPON ALL TAXABLE PROPERTY WITHIN THE CITY ANNUALLY SUFFICIENT TO PAY THE INTEREST ON THE BONDS AS IT ACCRUES AND TO CREATE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS IT MATURES, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

CITY OF KATY PROPOSITION B

SHALL THE CITY COUNCIL OF THE CITY OF KATY, TEXAS, BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE CITY IN THE AMOUNT OF \$10,250,000 MATURING SERIALLY OR OTHERWISE WITHIN 40 YEARS FROM THEIR DATE OR DATES, AND BEARING INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE CITY COUNCIL AT THE TIME OF ISSUANCE, FOR THE PURPOSE OF THE CONSTRUCTION OF STORM SEWER AND DRAINAGE IMPROVEMENTS, AND TO LEVY TAXES UPON ALL TAXABLE PROPERTY WITHIN THE CITY ANNUALLY SUFFICIENT TO PAY THE INTEREST ON THE BONDS AS IT ACCRUES AND TO CREATE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS IT MATURES, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

CITY OF KATY PROPOSITION C

SHALL THE CITY COUNCIL OF THE CITY OF KATY, TEXAS, BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE CITY IN THE AMOUNT OF \$5,000,000 MATURING SERIALLY OR OTHERWISE WITHIN 40 YEARS FROM THEIR DATE OR DATES, AND BEARING INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE CITY COUNCIL AT THE TIME OF ISSUANCE, FOR THE PURPOSE OF THE CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S WATERWORKS AND SANITARY SEWER SYSTEM, AND TO LEVY TAXES UPON ALL TAXABLE PROPERTY WITHIN THE CITY ANNUALLY SUFFICIENT TO PAY THE INTEREST ON THE BONDS AS IT ACCRUES AND TO CREATE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS IT MATURES, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

OFFICIAL BALLOT
CITY OF KATY BOND ELECTION

CITY OF KATY PROPOSITION A

<input type="checkbox"/> FOR <input type="checkbox"/> AGAINST	THE ISSUANCE OF STREET AND RELATED DRAINAGE IMPROVEMENT BONDS IN THE AMOUNT OF \$4,250,000 AND THE LEVY OF TAXES, WITHIN THE LIMITS PRESCRIBED BY LAW, IN PAYMENT OF THE BONDS
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CITY OF KATY PROPOSITION B

<input type="checkbox"/> FOR <input type="checkbox"/> AGAINST	THE ISSUANCE OF STORM SEWER AND DRAINAGE IMPROVEMENT BONDS IN THE AMOUNT OF \$10,250,000 AND THE LEVY OF TAXES, WITHIN THE LIMITS PRESCRIBED BY LAW, IN PAYMENT OF THE BONDS
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CITY OF KATY PROPOSITION C

<input type="checkbox"/> FOR <input type="checkbox"/> AGAINST	THE ISSUANCE OF WATERWORKS AND SANITARY SEWER SYSTEM IMPROVEMENT BONDS IN THE AMOUNT OF \$5,000,000 AND THE LEVY OF TAXES, WITHIN THE LIMITS PRESCRIBED BY LAW, IN PAYMENT OF THE BONDS
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Section 5: In accordance with Texas Election Code, Section 3.009, the City currently estimates that, if the propositions contained herein were approved and the bonds proposed herein were authorized and issued, the City's ad valorem debt service tax rate is projected to be a maximum of approximately \$0.1020 per \$100 of assessed valuation. The estimated tax rate is based on current assumptions and projections of interest rates, property development, assessed valuations and tax collection rates. To the extent that such assumptions and projects are not realized, the actual tax rate assessed by the City may vary substantially from the estimated tax rate. The estimated tax rate provided in this Section shall not be considered part of the bond propositions to be submitted to the voters pursuant to this Ordinance and shall not be considered as a limitation on the City's

authority to levy, assess and collect an ad valorem tax, within the limits prescribed by law.

Section 6: The aggregate amount of the outstanding principal of the City's bonds secured by ad valorem taxes as of the beginning of the City's fiscal year-ending September 30, 2018 is \$17,115,000.

Section 7: The aggregate amount of the outstanding interest on the City's bonds secured by ad valorem taxes as of the beginning of the City's fiscal year-ending September 30, 2018 is \$2,120,806.

Section 8: The debt service tax rate for the City as of the date of this ordinance is \$0.1020 per \$100 valuation of taxable property.

Section 9. Early voting shall be conducted by Melissa A. Bunch, who is appointed Early Voting Clerk, and the place at which the early voting shall be conducted, which is hereby designated as the Main Early Voting Place is Katy City Hall, 901 Avenue C, Katy, Texas 77493, which is also the mailing address to which ballot applications and ballots voted by mail may be sent.

Said Early Voting Clerk shall keep said office open for early voting during the hours the City Secretary's main business office is regularly open for business and on the weekdays of the early voting period. The period for early voting as prescribed in the Texas Election Code, Section 85.001 is as follows: "The period for early voting by personal appearance begins on the 12th day before election day and continues through the fourth day before election day. If the date prescribed for beginning the period is a Saturday, Sunday, or legal state holiday, the early voting period begins on the next regular business day."

In compliance with the Texas Election Code Section 85.005(d), the Main Early Voting Place shall be opened at 7:00 a.m. and closed at 7:00 p.m., on each of the last two days of the early voting period, to-wit: Monday, the 30th day of April, 2018 and Tuesday, the 1st day of May, 2018.

The City Secretary may, by written order, appoint Temporary Early Voting Clerk Deputies from among those persons serving as Assistant City Secretary.

Early voting in said election shall be by eSlate Director Record Electronic System, the use of which shall conform to the requirements of the Texas Election Code, as amended, and shall have upon the ballot the proposition to be voted on.

Section 10. Notice of such election shall be given by posting a substantial copy of this election ordinance, in English

and Spanish, on the bulletin board at Katy City Hall, 901 Avenue C, Katy, Texas, used for posting notices of City Council meetings and at three other places in the City, not less than 21 days prior to the date set for the election; a substantial copy of this election ordinance, in English and Spanish, also shall be posted on election day and during early voting by personal appearance, in a prominent location at each polling place; and a substantial copy of this election ordinance, in English and Spanish, also shall be published on the same day in each of two successive weeks in a newspaper of general circulation published in the City, the date of the first publication to be not more than 30 days and not less than 14 days prior to the date set for the election.

Section 11. In all matters relating to the ordering, giving notice, and holding the election, the City shall comply with the applicable parts of the Texas Election Code, including particularly Chapter 272 of the Texas Election Code pertaining to bilingual requirements and the Federal Voting Rights Act of 1965, as amended.

Section 12. It is hereby officially found and determined that notice of the meeting at which this ordinance is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this ordinance was discussed and acted on.

Section 13. This ordinance shall take effect immediately upon adoption.

PASSED AND APPROVED the 12th day of February, 2018.

CITY OF KATY, TEXAS

By: Chuck Brawner
Chuck Brawner, Mayor

ATTEST:

Melissa A. Bunch
Melissa A. Bunch, City Secretary

APPROVED:

Art Fertile, III
Art Fertile, III, City Attorney

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS §
COUNTIES OF FORT BEND
 HARRIS AND WALLER §

We, the undersigned officers of the City Council of the City of Katy, Texas, hereby certify as follows:

1. The City Council of the City of Katy, Texas, convened at a regular meeting of said City Council at the City of Katy City Hall in the City of Katy, Texas, on the 12th day of February, 2018, and the roll was called of the duly constituted officers and members of said City Council, to wit

Chuck Brawner	Mayor
Durran Dowdle	Mayor Pro Tem
Ray Boothe	Councilmember
J. Gary Jones	Councilmember
Jimmy Mendez	Councilmember
Steve Pierson	Councilmember

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

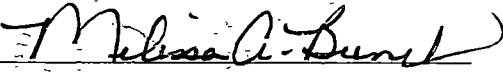
ORDINANCE CALLING BOND ELECTION

was duly introduced for the consideration of the City Council and read caption 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: 5
NOES: 0

2. 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 the City Council's minutes of said meeting, that the above and foregoing paragraph is a true, full and correct excerpt from the 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 the City Council as indicated therein, that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, 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, that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act.

SIGNED AND SEALED this 12th day of February, 2018.

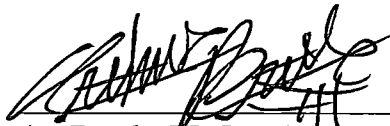


Melissa A. Bunch, City Secretary



Chuck Brawner, Mayor

APPROVED:



Art Fertile, III, City Attorney

NOTICE OF BOND ELECTION

TO THE RESIDENT, QUALIFIED ELECTORS OF THE CITY OF KATY, TEXAS

NOTICE IS HEREBY GIVEN that an election will be held in the CITY OF KATY, TEXAS, on the 5th day of May, 2018, in accordance with the following ordinance: