

ORDINANCE NO. 649-24

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF HALLETTSVILLE, TEXAS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION

WHEREAS, the City Council (the *Council*) of the CITY OF HALLETTSVILLE, TEXAS (the *City*), located in Lavaca County, Texas (the *County*), finds and determines that a special election (the *Election*) should be held to determine whether the City will be authorized to issue general obligation bonds in the amount and for the purposes identified in this ordinance (the *Ordinance*); and

WHEREAS, the City will contract with the County, by and through its elections administrator (the *Administrator*) to conduct all aspects of the Election for all registered voters of the City; and

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the *Participants*) pursuant to a joint election agreement according to the Texas Election Code, as amended (the *Code*); and

WHEREAS, the Council hereby finds and determines that the actions described above are in the best interests of the residents of the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE, TEXAS THAT:

SECTION 1. Election Ordered; Purpose; Amount. The Election will be held in the CITY OF HALLETTSVILLE, TEXAS on May 4, 2024 (*Election Day*), which is a uniform election date under the Code and is not less than 78 days nor more than 90 days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following measure to the qualified voters of the City:

City of Hallettsville Measure A

Will the City Council of the City of Hallettsville, Texas be authorized to issue and sell one or more series of general obligation bonds of the City in the aggregate principal amount of not more than \$6,000,000 for the purpose of designing, acquiring, constructing, renovating, improving, upgrading, updating, and equipping City streets (and completing necessary or incidental utility removal, relocation, repair, or replacement and completing necessary or incidental curb, gutter, drainage, sidewalk, driveway, and landscaping improvements in connection with the foregoing), such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Council, provided that such rate or rates of interest will not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said

bonds; and will the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the City sufficient, within the limits provided by law, to pay the annual interest and provide a sinking fund to pay the bonds at maturity?

**SECTION 2. Ballots.** The official ballots will permit voters to vote “FOR” or “AGAINST” the measure above with the following ballot language:

**City of Hallettsville Proposition A**

The issuance of \$6,000,000 in general obligation bonds for street and related utility improvements and the levy of taxes sufficient to pay the principal of and interest on the bonds.

**SECTION 3. Polling Details.**

A. One or more City election precincts are established for Election Day from 7:00 a.m. to 7:00 p.m. with one or more corresponding polling places as identified on Exhibit A to this Ordinance. As permitted by the Code, polling places may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election.

B. Exhibit A also includes the places, dates, and hours for early voting in person. As permitted by the Code, these details may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election. Applications for voting by mail should be received no later than the close of business on April 23, 2024. Applications should be sent to the Early Voting Clerk named below. If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original.

**SECTION 4. Election Officials.** To the extent required by the Code or other applicable law, the appointment of election officials at polling locations will include a person fluent in the Spanish language.

A. The Administrator will appoint Presiding Judges, Alternate Presiding Judges, and Election Clerks.

B. The Early Voting Clerk is: Tenia Hudson; mailing address: P.O. Box 727, Hallettsville, TX 77964; physical address: 412 N. Texana, Hallettsville, TX 77964; phone: (361) 798-3594; fax: (361) 798-4016; and email: elections@co.lavaca.tx.us. The Early Voting Clerk will appoint the Deputy Early Voting Clerks.

C. The Administrator is authorized to establish an Early Voting Ballot Council and to designate the Presiding Judge of the Early Voting Ballot Council and, if needed, the members of Signature Verification Committee.

D. The City is authorized to use a Central Counting Station (the Station) if needed. The Administrator or the Administrator's designee is appointed as the Manager of the Station with the authority to appoint the Tabulation Supervisor, the Programmer, and any Clerks.

SECTION 5. Qualified Voters. The City's qualified voters (as defined by the Code) will be entitled to vote in the Election at the dates, times, and places reflected on Exhibit A.

SECTION 6. Legal Compliance. The Election and notice of Election will be held and conducted according to the Code and other applicable law. To the extent required by law, materials relating to the Election will be printed in English, Spanish, and any other required language.

SECTION 7. Debt Obligations. The following information is calculated based on bond market conditions as of the date of the adoption of this Ordinance; is further explained in one or more voter information documents attached to this Ordinance as exhibits; and is not intended to serve as a cap or other restriction should the bonds be authorized at the Election.

A. The aggregate amount of the outstanding principal of the City's debt totaled \$0 (including maintenance tax debt, if any).

B. The aggregate amount of the interest owed on the City's debt obligations, through respective maturity, totaled \$0.

C. The City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0 per \$100 of taxable assessed valuation.

D. The bonds that are the subject of this Election are anticipated to mature serially or otherwise over 20 years, but not to exceed the maximum number of years authorized by Texas law.

E. The maximum interest rate for any series of bonds authorized at the Election is 5% (expressed as a net effective interest rate).

SECTION 8. Contracting Authority. The Council authorizes the Mayor, the City Manager, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, or similar contracts with the County, acting by and through the Administrator, and any Participants if desired or if required to comply with applicable law.

SECTION 9. Modifications. The Council acknowledges that information required to complete the Exhibits to this Ordinance may not be available when the Election is ordered, and the Council therefore authorizes the City Secretary, the City Administrator, or their designees to correct, modify, or change the Exhibits to the extent permitted by applicable law. Additionally, the Council authorizes these individuals to make technical modifications to this Ordinance that are necessary for compliance with applicable law or to carry out the intent of the Council as evidenced in this Ordinance.

**SECTION 10. Findings.** The recitals contained in the preamble of this Ordinance are found to be true.

**SECTION 11. Conflicts.** 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 will be and remain controlling as to the matters ordered herein.

**SECTION 12. Controlling Law.** This Ordinance will be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 13. Open Meetings.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

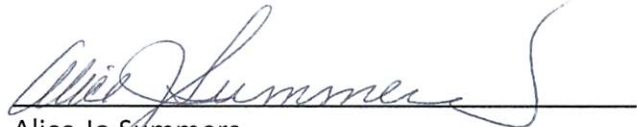
**SECTION 14. Severability.** If any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance remains effective.

**SECTION 15. Effective Date.** Pursuant to Section 1201.028, as amended, Texas Government Code, this Ordinance is effective immediately upon adoption.

\* \* \*

PASSED AND APPROVED on February 12, 2024.

CITY OF HALLETTSVILLE, TEXAS

  
Alice Jo Summers  
Mayor

ATTEST:



Grace Ward  
City Administrator and Secretary



(CITY SEAL)

[Signature Page to Ordinance Calling a Bond Election]

**CERTIFICATE OF CITY SECRETARY**

THE STATE OF TEXAS §  
COUNTY OF LAVACA §  
CITY OF HALLETTSVILLE §

THE UNDERSIGNED HEREBY CERTIFIES that:

On February 12, 2024, the City Council (the *Council*) of the City of Hallettsville, Texas (the *City*) convened in special session at its regular meeting place in the City (the *Meeting*), the duly constituted members of the Council being as follows:

Alice Jo Summers	Mayor	Trent Skelton	Councilmember
Audrey Barrera	Mayor Pro-Tem	Dean Madden	Councilmember
Chastity Grant Carter	Councilmember	Billy Barrera	Councilmember

and all of such persons were present at the Meeting, except the following: Trent Skelton, thus constituting a quorum. The attached ordinance (the *Ordinance*) was considered at the Meeting and entitled:

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After presentation and discussion, a motion was made by Councilmember Audrey Barrera that the Ordinance be finally passed and adopted. The motion was seconded by Councilmember Dean Madden and carried by the following vote as shown in the official Minutes of the Council for the Meeting:

4 voted "For"                      0 voted "Against"                      0 abstained

The Mayor does not vote except to break a tie.

The attached Ordinance is a true and correct copy of the original on file in the official records of the City. The duly qualified and acting members of the Council on the date of the Meeting are those persons shown above, and each member of the Council was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Ordinance would be considered. The Meeting and deliberation of the aforesaid public business was open to the public; and written notice of the Meeting, including the subject of the Ordinance, was posted in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

SIGNED AND SEALED ON February 12, 2024.



Grace Ward  
City Secretary, City of Hallettsville, Texas



**WAIVER OF NOTICE AND CONSENT TO SPECIAL MEETING**

WE, the undersigned members of the City Council of the City of Hallettsville, Texas, HEREBY WAIVE NOTICE and CONSENT to the holding of a special meeting of the City Council on the 12th day of February, 2024, at 6:00 o'clock, P.m., in the regular meeting place of the City Council for the purpose of passing, adopting, or otherwise acting upon

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and for the purpose of acting upon such other matters as may properly come before such meeting.

<u>2/12/24</u>	<u>Trent Skelton</u>	<u></u>
Date Signed	Absent Member's Printed Name	Absent Member's Signature

_____	_____	_____
Date Signed	Absent Member's Printed Name	Absent Member's Signature

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