

ORDINANCES CALLING A BOND ELECTION AND NOTICE OF ELECTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FATE, TEXAS, REVISING ORDINANCE NO. O-2020-006, THE ORDER OF THE MAY 2020 GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF CONSIDERING WHETHER THE CITY COUNCIL OF THE CITY OF FATE, TEXAS, SHALL BE AUTHORIZED TO ISSUE AND SELL THE BONDS OF SAID CITY, IN ONE OR MORE SERIES OR ISSUES, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,250,000, FOR THE PUBLIC PURPOSE OF DESIGNING, CONSTRUCTING, IMPROVING, EXPANDING AND EQUIPPING PARKS, TRAILS AND RECREATIONAL FACILITIES IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. O-2020-006 passed by the City Council of the City of Fate on February 3, 2020, a special election was ordered to be held in the City on May 2, 2020 for the purpose of considering whether the City Council of the City of Fate, Texas, shall be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$3,250,000, for the public purpose of designing, constructing, improving, expanding and equipping parks, trails, and recreational facilities in the City; and

WHEREAS, in response to public health and safety concerns related to the novel coronavirus ("COVID-19") infectious disease outbreak, the Governor of the State of Texas issued a proclamation on March 18, 2020 authorizing political subdivisions, such as the City, that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to the next uniform election date, occurring on November 3, 2020; and

WHEREAS, pursuant to Ordinance No. O-2020-009, passed by the Council on March 24, 2020, the Election was postponed to November 3, 2020.

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

SECTION 1. The Special Election ordered by Ordinance No. O-2020-006 and postponed by Ordinance No. O-2020-009 shall be held on November 3, 2020 for the purpose of considering whether the City Council of the City of Fate, Texas, shall be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$3,250,000, for the public purpose of designing, constructing, improving, expanding and equipping parks, trails, and recreational facilities in the City.

SECTION 2. On Election Day, November 3, 2020, the polls shall be open between the hours of 7:00 a.m. and 7:00 p.m., at the locations established by the Rockwall County Elections Administrator on the dates and times as follows, or as may be amended by the County.

Precinct	Location	Address
4	Rockwall ISD Administration Bldg	1050 Williams St Rockwall, TX 75087
4A	Fate City Hall	1900 CD Boren PKWY Fate, TX 75132

SECTION 3. Early voting by personal appearance shall commence on October 13, 2020, and continue through October 30, 2020, at the locations established by the Rockwall County Elections Administrator on the dates and times as follows, or as may be amended by the County.

		LOCATION & ADDRESS (lugar y direccion)			CITY (ciudad)	
ROCKWALL		COUNTY LIBRARY 1215 E. YELLOWJACKET LN			ROCKWALL	
HEATH		HEATH CITY HALL 200 LAURENCE DR			HEATH	
FATE		FATE CITY HALL 1900 CD BOREN PKWY			FATE	
ROYSE CITY		ROYSE CITY HALL 305 N ARCH ST			ROYSE CITY	
SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
		OCT 13 8am-5pm Early Voting	OCT 14 8am - 5pm Early Voting	OCT 15 8am - 5pm Early Voting	OCT 16 8am - 5pm Early Voting	
SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
	OCT 19 8am-5pm Early Voting	OCT 20 8am-5pm Early Voting	OCT 21 8am - 5pm Early Voting	OCT 22 7am - 7pm Early Voting	OCT 23 8am - 5pm Early Voting	OCT 24 10am - 3pm Early Voting
SUNDAY (Domingo)	MONDAY (Lunes)	TUESDAY (Martes)	WEDNESDAY (Miercoles)	THURSDAY (Jueves)	FRIDAY (Viernes)	SATURDAY (Sabado)
OCT 25 11am-2pm Early Voting	OCT 26 8am-5pm Early Voting	OCT 27 8am-5pm Early Voting	OCT 28 8am - 5pm Early Voting	OCT 29 7am - 7pm Early Voting	OCT 30 8am - 5pm Early Voting	

NOTE

THE ONLY LOCATION FOR EARLY VOTING ON OCTOBER 25TH IS THE COUNTY LIBRARY

SECTION 4. Applications for ballot by mail shall be received and processed by the Rockwall County Elections Administrator no later than the close of business on October 23, 2020.

SECTION 5. Ordinance No. O-2020-006 and No. O-2020-009 shall remain in full force except wherein amended by this resolution. This ordinance shall take effect immediately upon its passage.

SECTION 6. The following information is provided in accordance with the provisions of Section 3.009(b) of the Texas Election Code.

(a) The principal amount of the debt obligations to be authorized is \$3,250,000.

(b) If the bonds are approved by the voters, the Council will be authorized to levy annual

ad valorem taxes, on all taxable property in the City, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.

- (c) Based upon the bond market conditions at the date of adoption of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 3.75%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest 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.
- (d) If the bonds are approved, they may be issued in one or more series, to mature over a period not to exceed 25 years from the date of issuance of each series of bonds.
- (e) The aggregate amount of the outstanding principal of the City's debt obligations as of the date of this Ordinance is \$8,850,000.
- (f) The aggregate amount of the outstanding interest of the City's debt obligations as of the date of this Ordinance is \$2,275,500.
- (g) The ad valorem debt service tax rate for the City as of the date of this Ordinance is \$0.042606 per \$100 of taxable assessed valuation.

Voter Information Document - City of Fate, Texas Special Election

Proposition A

The following information is prepared to comply with Tex. H.B. 477 86th Leg., R.S. (2019).

Ballot Information: At the Election, the following language will appear on the ballot:

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

FOR	_____) THE ISSUANCE OF \$3,250,000 OF BONDS BY THE CITY OF FATE,) TEXAS FOR DESIGNING, CONSTRUCTING, IMPROVING,) EXPANDING AND EQUIPPING PARKS, TRAILS AND) RECREATIONAL FACILITIES IN THE CITY. TAXES SUFFICIENT TO) PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE) IMPOSED.
AGAINST	_____	

The following table sets forth the estimated principal amount of, and interest due to maturity on, the bonds to be issued if Proposition A passes, and all outstanding obligations of the City secured by and payable from ad valorem taxes.

Principal Amount of Bonds to be authorized	Estimated interest for Bonds to be authorized ⁽¹⁾	Estimated combined principal and interest required to pay on time and in full the Bonds to be authorized ⁽¹⁾	Principal of City's Existing Outstanding Debt (as of 8/17/20)	Remaining interest on City's Existing Outstanding Debt (as of 8/17/20)	Combined Principal and Interest to timely pay City's Outstanding Debt (as of 8/17/20)
\$3,250,000	\$937,314	\$4,187,314	\$8,850,000	\$2,275,500	\$11,125,500

⁽¹⁾ The interest on the proposed bonds was estimated at a rate of 2.52% based on market conditions as of August 17, 2020, and therefore, the interest payable on the proposed bonds may be less than, or more than, the amounts set forth above based on market conditions at the time of sale of the proposed bonds.

Based on the information and assumptions provided in the table above, the estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the City with a taxable appraised value of \$100,000 to repay the proposed bonds, if approved, is \$13.20. This estimate assumes annual growth of the City's taxable assessed valuation at a rate of 5% in tax year 2021 with incrementally smaller assumed growth rates through tax year 2024, and holds the City's taxable assessed valuation constant thereafter. The Bonds are intended to be issued in a manner that will produce relatively consistent levels of debt service in each year.

ORDINANCE NO. 0-2020-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FATE, TEXAS, ORDERING THAT THE SPECIAL BOND ELECTION SCHEDULED TO BE HELD ON SATURDAY, MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; MAKING FINDINGS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster in every county in the State of Texas; and

WHEREAS, on or about March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone general and special elections to the next uniform election date, November 3, 2020; and

WHEREAS, on or about February 3, 2020, the City Council passed Ordinance No. 0-2020-006, ordering a Special Election to be held on May 2, 2020 for the purpose of considering whether the City Council of the City of Fate, Texas, shall be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$3,250,000, for the public purpose of designing, constructing, improving, expanding and equipping parks, trails and recreational facilities in the City; with said bonds to be issued in one or more series or issues, to mature, 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 there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?; and

WHEREAS, it is pursuant to the authority of the Governor's March 13, 2020, disaster declaration and the March 18, 2020, proclamation that this Ordinance is adopted; *i.e.*, to postpone the Special Bond Election in the City from Saturday, May 2, 2020, to Tuesday, November 3, 2020.

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

SECTION 1. All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. The Special Bond Election scheduled for Saturday, May 2, 2020 is hereby postponed until Tuesday, November 3, 2020, pursuant to the authority referenced in the Preamble to this Ordinance, and it is hereby so ordered.

SECTION 3. Pursuant to Election Advisory No. 2020-12, issued by the Texas Secretary of State's Office on or about March 18, 2020, this Order also makes the following findings, and incorporates them by reference into this Ordinance: (1) all applications for a ballot by mail for voters who are voting by mail due to being over the age of 65 or due to disability will remain valid for the postponed election whereas all applications for a ballot by mail based upon a voter's expected absence from the county will not be valid for the postponed election; and (2) the major relevant dates for the November 3, 2020, general election are as follows: deadline for registration to vote in the November 3, 2020, election-October 5, 2020; the deadline to submit an application for a ballot by mail-October 23, 2020; and early voting-October 19, 2020, through October 30, 2020.

SECTION 4. This Ordinance shall become effective from and after its passage.

ORDINANCE NO. 0-2020-006

THE STATE OF TEXAS
ROCKWALL COUNTY
CITY OF FATE

WHEREAS, the City Council (the "Council") of the City of Fate, Texas (the "City") deems it advisable to call the bond election hereinafter ordered (the "Election"); and

WHEREAS, the bond referendum is held in accordance with the provisions of Chapter 1251, Texas Government Code, and various provisions of the Texas Election Code (the "Code"), including Section 42.002 of the Code, and the City is contracting with Rockwall County, Texas (the "County") for the administration of the Election pursuant to an interlocal agreement with the County (the "Election Contract"); and

WHEREAS, the County, acting through the Rockwall County Elections Administrator (the "Elections Administrator") in accordance with the Election Contract, will provide for the administration of the Election for residents of the City; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code;

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

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

Section 2. Election Ordered; Polling Places. Amended by Ordinance No. 0-2020-019.

Section 3. Early Voting. Amended by Ordinance No. 0-2020-019.

Section 4. Election Officials. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrator in accordance with the Election Contract and the Code. The Elections Administrator may 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 at the central counting station. The Council hereby authorizes the Mayor, the Mayor Pro Tem, the City Manager, the Director of Finance and the City Secretary to execute or attest on behalf of the City the Election Contract with the County.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the City shall be submitted by personal delivery not later than October 16, 2020, or shall be mailed to the applicable address below and received (not postmarked) by October 23, 2020. Applications for voting by mail for all residents of the City shall be sent as follows:

Postal Mail:	Rockwall County Elections Administrator 915 Whitmore Dr., Suite D Rockwall, Texas 75087
Commercial Carrier or Personal Delivery	Rockwall County Elections Administrator 915 Whitmore Dr., Suite D Rockwall, Texas 75087
Telephone	(972) 204-6200
Fax	(972) 204-6209
Email	clynch@rockwallcountytexas.com

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the City, shall be entitled to vote at the election.

Section 8. Proposition. At the Election the following PROPOSITION shall be submitted in accordance with law:

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

Shall the City Council of the City of Fate, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$3,250,000, for the public purpose of designing, constructing, improving, expanding and equipping parks, trails and recreational facilities in the City; with said bonds to be issued in one or more series or issues, to mature, 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 there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

Section 9. Ballots. The official ballots for the Election shall be prepared in accordance with the 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 FATE, TEXAS SPECIAL ELECTION
CITY OF FATE, TEXAS PROPOSITION A

FOR	_____) THE ISSUANCE OF \$3,250,000 OF BONDS BY THE CITY OF FATE,
) TEXAS FOR DESIGNING, CONSTRUCTING, IMPROVING,
) EXPANDING AND EQUIPPING PARKS, TRAILS AND
AGAINST	_____) RECREATIONAL FACILITIES IN THE CITY. TAXES SUFFICIENT TO
) PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE
) IMPOSED.

Section 10. Compliance with State and Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The City hereby finds that the voting system to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the City in its elections.

Section 11. Debt Obligations. The following information is provided in accordance with the provisions of Section 3.009(b) of the Code.

- (a) The proposition language that will appear on the ballot is set forth in Section 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.
- (c) The principal amount of the debt obligations to be authorized is \$3,250,000.

(d) If the bonds are approved by the voters, the Council will be authorized to levy annual ad valorem taxes, on all taxable property in the City, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.

(e) Based upon the bond market conditions at the date of adoption of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 3.75%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest 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.

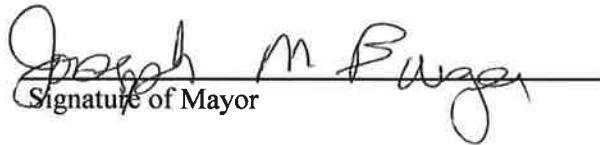
(f) If the bonds are approved, they may be issued in one or more series, to mature over a period not to exceed 25 years from the date of issuance of each series of bonds.

(g) The aggregate amount of the outstanding principal of the City's debt obligations as of the date of this Ordinance is \$9,445,000.

(h) The aggregate amount of the outstanding interest of the City's debt obligations as of the date of this Ordinance is \$2,608,700.

(i) The ad valorem debt service tax rate for the City as of the date of this Ordinance is \$0.042606 per \$100 of taxable assessed valuation.

Issued this the 30th day of September, 2020.


Signature of Mayor