

ORDINANCE NO. 967

AN ORDINANCE OF THE TOWN OF HOLLYWOOD PARK, TEXAS CALLING A BOND ELECTION TO BE HELD IN THE TOWN OF HOLLYWOOD PARK, TEXAS; MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the City Council (the *Council*) of the TOWN OF HOLLYWOOD PARK, TEXAS (the *City*), located in Bexar County, Texas (the *County*) hereby finds and determines that an election should be held to determine whether the Council shall be authorized to issue general obligation bonds of the City in the amounts and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the City will contract with the County’s Election Administrator (the *Administrator*) to conduct all aspects of the Election; and

WHEREAS, the Election will be held jointly with other political subdivisions (such other political subdivisions, collectively, the *Participants*) for whom the County is also conducting their elections, as provided pursuant to the provisions of one or more joint election agreements or contracts among the City, the County, and the Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code, or other applicable law, pursuant to which the County will conduct all aspects of the Election on the City’s behalf; and

WHEREAS, the Council hereby finds and determines that the necessity to construct various capital improvements within the City necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS THAT:

SECTION 1. The Election shall be held in the TOWN OF HOLLYWOOD PARK, TEXAS on the 3rd day of November, 2015 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is not less than 71 days nor more than 90 days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following proposition to the qualified voters of the City:

PROPOSITION

“Shall the City Council of the Town of Hollywood Park, 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 \$3,700,000 for the purpose of making permanent public improvements or other public purposes, to wit: designing, acquiring, constructing, renovating, improving, demolishing, and equipping the City parks and recreational

facilities and the purchase of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto, such bonds to mature serially or otherwise (not more than forty (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 of interest shall 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 shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2. The City election precinct hereby established for the purpose of holding the Election and the polling place hereby designated for holding the Election in the City election precinct is identified in Exhibit A to this Ordinance, and this Exhibit A is hereby incorporated by reference into this Ordinance for all purposes. At least 72 days prior to Election Day, the City, acting through the Mayor, or the designee thereof, in coordination with the Administrator (or the Administrator's designee), as necessary or desirable, will identify and formally approve the appointment of the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Administrator, the City, and the Participants to the extent permitted by applicable law.

The Presiding Judge shall appoint not less than two resident qualified voters of the County to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

On Election Day, the polls shall be open as designated on Exhibit A.

The main early voting location is designated in Exhibit B to this Ordinance (which is hereby incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This main early voting location shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrator, as identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board is hereby appointed the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall

appoint not less than two (2) resident qualified voters of the County to serve as members of the Early Voting Ballot Board.

SECTION 3. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the City shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with laws of the State of Texas (the *State*) and applicable federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any other legally-permissible voting methods may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4. The City shall also utilize a Central Counting Station (the *Station*) as provided by Section 127.001, et seq., as amended, Texas Election Code, as amended. The Administrator, or the designee thereof, is hereby appointed as the Manager and Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code, as amended. The Council hereby appoints the Administrator, or the Administrator's designee, as the Tabulation Supervisor and the Administrator, or the Administrator's designee, as the Programmer for the Station. Lastly, the Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code, as amended.

SECTION 5. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote "FOR" or "AGAINST" the aforesaid proposition which shall appear on the ballot substantially as follows:

PROPOSITION

"THE ISSUANCE OF NOT TO EXCEED \$3,700,000 OF TOWN OF HOLLYWOOD PARK, TEXAS GENERAL OBLIGATION BONDS FOR CITY PARKS AND RECREATIONAL FACILITIES, AND THE LEVYING OF A TAX IN PAYMENT THEREOF"

SECTION 6. All resident qualified voters of the City shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, Chapters 1251 and 1331, as amended, Texas Government Code, and as may be required by any other law. All materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7. A substantial copy of this Ordinance shall serve as a proper notice of the Election. This notice, including a Spanish translation thereof, shall be posted (i) at three public places within the City and at the City Hall not less than 21 days prior to Election Day and (ii) in a prominent location at each polling place on Election Day and during early voting and shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the City, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 full days prior to Election Day. In addition, during the 21 days prior to Election Day, the City shall, in a prominent manner, maintain such notice on its internet website.

SECTION 8. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, added by the 83rd Texas Legislature, the City, as of its fiscal year beginning October 1, 2014, had outstanding an aggregate principal amount of debt equal to \$-0-; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$-0-; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$-0- per \$100 of taxable assessed valuation. Of the aforementioned City debt, the City considers \$-0- and \$-0- of that principal and interest, respectively, to be self-supporting debt payable from sources other than ad valorem taxes. The City estimates an ad valorem debt service tax rate of \$0.0563 per \$100 of taxable assessed valuation if the bonds that are subject of the Election are approved and are issued (taking into account the outstanding City bonds and bonds that are the subject of this Election, but not future bond authorizations of the City). This is only an estimate provided for Texas statutory compliance and does not serve as a cap on any City ad valorem debt service tax rate.

SECTION 9. The Council authorizes the Mayor, or the Mayor's designee, to negotiate and enter into one or more joint election agreements or contracts with the County, through the Administrator, and the Participants in accordance with the provisions of the Texas Election Code, as amended, and as necessary or desired, to make such technical modifications to this Ordinance that are necessary for compliance with applicable State or federal law or to carry out the intent of the Council, as evidenced herein.

To the extent that any duty or obligation of the City, in general, or any City official, in particular, is properly delegated to the County pursuant to a joint election agreement, then the County's carrying out those duties and obligations on the City's behalf pursuant to the terms of such joint election agreement shall be binding upon the City and are hereby determined by the Council to be evidence of the City's compliance with the provisions of applicable Texas law concerning the Election relative to the same.

SECTION 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 11. 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 shall be and remain controlling as to the matters ordained herein.

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

SECTION 13. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 14. It is officially found, determined, and declared that the meeting at which this Ordinance was 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 15. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

EXHIBIT A

ELECTION PRECINCT AND ELECTION DAY POLLING LOCATION

Election Day: Tuesday, November 3, 2015

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

<u>City Election Precinct</u>	<u>Bexar County Election Precinct</u>	<u>Polling Place</u>
No. 1	3092	City Hall, 2 Mecca Drive, Hollywood Park, Texas 78232

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EXHIBIT B

MAIN EARLY VOTING POLLING PLACE, DATES and TIMES

BEXAR COUNTY, TEXAS EARLY VOTING INFORMATION

**MAIN AND PERMANENT BRANCH
POLLING PLACES, DATES, AND TIMES**

Early voting begins Monday, October 19, 2015 and ends on Friday, October 30, 2015

Early Voting Clerk: Ms. Jacquelyn F. Callanen, Bexar County Elections Administrator
Early Voting Clerk's address: 1103 S. Frio, Suite 100
San Antonio, Texas 78207-4533

Presiding Judge of the Early Voting Ballot Board: Ms. Jacquelyn F. Callanen

Location, Dates & Hours of Main Early Voting Polling Place

Bexar County Elections Department
1103 S. Frio, Suite 100
San Antonio, Texas

Dates

Monday, October 19, 2015 through Friday, October 23, 2015
Saturday, October 24, 2015
Sunday, October 25, 2015
Monday, October 26, 2015 through Wednesday, October 28, 2015
Thursday, October 29, 2015 through Friday, October 30, 2015

Times

8:00 a.m. to 6:00 p.m.
10:00 a.m. to 6:00 p.m.
12:00 noon to 6:00 p.m.
8:00 a.m. to 6:00 p.m.
8:00 a.m. to 8:00 p.m.

Any voter who is entitled to vote an early ballot by personal appearance may do so at the Main Early Voting Site.

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Location, Dates & Hours of Permanent Branch Polling Places

Bexar County Justice Center***	300 Dolorosa
Blossom Athletic Center	12002 Jones Maltsberger
Brookhollow Library	530 Heimer Road
Castle Hills City Hall (southeast corner of Council Chambers)	209 Lemonwood Dr.
Claude Black Center	2805 East Commerce
Cody Library	11441 Vance Jackson
Converse City Hall	405 S. Seguin Rd
Copernicus Community Center	5003 Lord Rd.
East Central Independent School District Admin Building	6634 New Sulphur Springs Road
Encino Branch Library	2512 East Evans Rd
Fair Oaks Ranch City Hall (Council Chambers)	7286 Dietz Elkhorn
Great Northwest Library	9050 Wellwood
Helotes City Hall	12951 Bandera Rd.
Henry A. Guerra, Jr. Library	7978 W Military Drive
John Igo Library	13330 Kyle Seale Parkway
Johnston Library	6307 Sun Valley Drive
Julia Yates Semmes Library @ Comanche Lookout Park	15060 Judson Road
Las Palmas Library	515 Castroville Road
Leon Valley Library	6421 Evers Rd
Lion's Field	2809 Broadway
Maury Maverick, Jr. Library	8700 Mystic Park
McCreless Library	1023 Ada Street
Memorial Library	3222 Culebra
Mission Library	3134 Roosevelt Ave.
Northside Activity Center	7001 Culebra
Olmos City Hall	120 El Prado W
Parman Library @ Stone Oak	20735 Wilderness Oak
Precinct 1 Satellite Office	3505 Pleasanton Rd.
Shavano Park City Hall (Council Chambers)	900 Saddletree Ct
Somerset High School	7650 South 1604 West, Somerset
South Park Mall	2310 S.W. Military
Tobin Library @ Oakwell	4134 Harry Wurzbach
Universal City – City Hall	2150 Universal City Blvd.
Windcrest Takas Park Civic Center	9310 Jim Seal Dr.
Wonderland Mall Of The Americas @ Crossroads	4522 Fredericksburg

<u>Dates</u>	<u>Times</u>
Monday, October 19, 2015 through Friday, October 23, 2015	8:00 a.m. to 6:00 p.m.
Saturday, October 24, 2015	10:00 a.m. to 6:00 p.m.
Sunday, October 25, 2015	12:00 noon to 6:00 p.m.
Monday, October 26, 2015 through Wednesday, October 28, 2015	8:00 a.m. to 6:00 p.m.
Thursday, October 29, 2015 through Friday, October 30, 2015	8:00 a.m. to 8:00 p.m.
*** Early voting will not be conducted on Saturday or Sunday or after 6:00 pm on weekdays at the Bexar County Courthouse.	

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EARLY VOTING BY MAIL:

Applications for voting by mail should be mailed to be received no earlier than Friday, September 4, 2015 and no later than the close of business (4:30 p.m.) on Friday, October 23, 2015.

Applications should be mailed to:

**Ms. Jacquelyn F. Callanen
Elections Administrator
Bexar County, Texas
1103 S. Frio, Suite 100
San Antonio, Texas 78207-6328**

PASSED AND APPROVED on the 18th day of August, 2015

TOWN OF HOLLYWOOD PARK, TEXAS



Mayor

ATTEST:



City Secretary

(SEAL)



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