

**ORDINANCE NO. 1513-08-2022**  
**ORDINANCE CALLING A BOND ELECTION**

THE STATE OF TEXAS                                   §  
COOKE COUNTY   §  
CITY OF GAINESVILLE                               §

**WHEREAS**, the City Council of the City of Gainesville, Texas (the "City") deems it advisable to call the bond election hereinafter ordered (the "Election"); 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 the Texas Government Code, Chapter 551.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, THAT:**

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

**Section 2. Election Ordered; Polling Places.** The Election shall be held with the County General Election between the hours of 7:00 a.m. and 7:00 p.m. on November 8, 2022 ("Election Day") at the polling places designated by the Cooke County Clerk in accordance with the provisions of a joint election agreement and contract for election services with Cooke County (the "Contract"), which the Mayor and City Manager are hereby authorized to execute in the name of the City. Voting for the Election on Election Day shall occur at:

- Precinct 1-1C:** Gainesville Civic Center, 311 S. Weaver St.
- Precinct 2:** First Christian Church, 401 N. Dixon St.
- Precinct 3:** Crossroads Baptist Church, 2201 W. California St.
- Precinct 4-4C:** Hillcrest Church of Christ, 1712 E. O'Neal St.
- Precinct 7:** Tabernacle Baptist Church, 305 CR 194
- Precinct 33:** Moss Lake Fire Station, 160 FM 1201 EXT

**Section 3. Early Voting.** Early voting by personal appearance shall be conducted at Cooke County Annex, 112 South Dixon Street, Gainesville, Texas, during the period early voting is required or permitted by law, being October 24, 2022 through November 4, 2022; the hours designated for early voting by personal appearance shall be as follows:

<u>Dates of Early Voting</u>	<u>Hours for Early Voting</u>
October 24, 2022	8:00 A.M. - 6:00 P.M.
October 25, 2022	8:00 A.M. - 6:00 P.M.
October 26, 2022	8:00 A.M. - 6:00 P.M.
October 27, 2022	8:00 A.M. - 6:00 P.M.
October 28, 2022	8:00 A.M. - 6:00 P.M.
October 31, 2022	8:00 A.M. - 6:00 P.M.
November 1, 2022	8:00 A.M. - 6:00 P.M.
November 2, 2022	8:00 A.M. - 6:00 P.M.
November 3, 2022	8:00 A.M. - 6:00 P.M.
November 4, 2022	8:00 A.M. - 6:00 P.M.

**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 Cooke County Clerk, in accordance with the Code.

**Section 5. Voting by Mail.** Applications for voting by mail for all residents of the City shall be mailed to the address below and received (not postmarked) by October 28, 2022. Applications for voting by mail for all residents of the City shall be sent as follows:

County Clerk  
101 S. Dixon St.  
Gainesville, TX 76240  
(940) 668-5437

**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 County Clerk.

**Section 7. Qualified Voters.** All resident qualified electors of said City shall be permitted to vote in said election.

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

**CITY OF GAINESVILLE, TEXAS SPECIAL ELECTION  
CITY OF GAINESVILLE, TEXAS PROPOSITION A**

Shall the City Council of the City of Gainesville, Texas be authorized to issue the bonds of the City, in one or more series, in the aggregate principal amount of \$2,800,000 for the public purpose of improving, upgrading and restructuring streets intersecting with the Burlington Northern Santa Fe railroad from Belcher Street to Cole Street in order to enact additional safety measures and to establish a quiet zone where locomotives are prohibited from sounding their horns while approaching, including without limitation striping, landscaping, sidewalks, streetscapes, collectors, storm drains, signalization, signage, street closures, related utility relocation, other traffic and signal controls, street lighting and median improvements, drainage, and the acquisition of land and rights-of-way for the foregoing, with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and 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 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 Texas Election 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 GAINESVILLE, TEXAS SPECIAL ELECTION  
CITY OF GAINESVILLE, TEXAS PROPOSITION A**

FOR \_\_\_\_\_ ) THE ISSUANCE OF \$2,800,000 IN BONDS TO ESTABLISH A  
AGAINST \_\_\_\_\_ ) QUIET ZONE ALONG THE BURLINGTON NORTHERN SANTA  
FE RAILROAD. 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 County Clerk 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), Texas Election 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 \$2,800,000.
- (d) If the bonds are approved by the voters, the City Council will be authorized to levy annual ad valorem taxes, on all taxable property in the City, sufficient, within the limits prescribed by law, to pay the principal of and interest on 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 5.00%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds and notes. 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 notes, or any series thereof, may be sold.
- (f) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed the maximum number of years authorized by law.
- (g) The aggregate amount of the outstanding principal of the City’s debt obligations as of the date of this Ordinance is \$38,785,000.
- (h) The aggregate amount of the outstanding interest of the City’s debt obligations as of the beginning as of the date of this Ordinance is \$8,784,985.00.
- (i) The ad valorem debt service tax rate for the City as of the date of this Ordinance is \$0.1747 per \$100 of taxable assessed valuation.

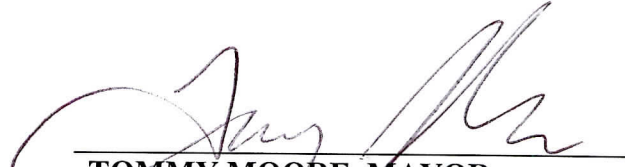
**INTRODUCTION, FIRST READING AND CHARTER SUSPENSION**

**INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 16<sup>TH</sup> DAY OF AUGUST 2022, AT WHICH TIME THE CHARTER REQUIREMENT OF THREE READINGS WAS SUSPENDED BY THE FOLLOWING VOTE:**

6 AYES      0 NAYS      1 ABSENCES      0 ABSTENTIONS

**ATTEST:**

  
\_\_\_\_\_  
**DIANA ALCALA, CITY SECRETARY**

  
\_\_\_\_\_  
**TOMMY MOORE, MAYOR**

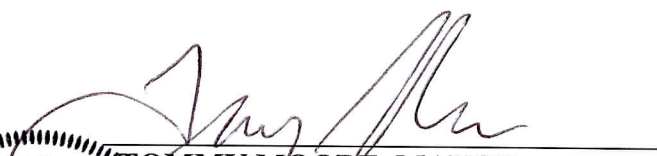
**ADOPTION**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 16<sup>TH</sup> DAY OF AUGUST 2022:**

6 AYES      0 NAYS      1 ABSENCES      0 ABSTENTIONS

**ATTEST:**

  
\_\_\_\_\_  
**DIANA ALCALA, CITY SECRETARY**

  
\_\_\_\_\_  
**TOMMY MOORE, MAYOR**

