

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION CALLING A BOND ELECTION FOR MAY 2, 2020; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION**

<b>THE STATE OF TEXAS</b>	‘
<b>COUNTIES OF TRAVIS AND WILLIAMSON</b>	‘
<b>CITY OF PFLUGERVILLE</b>	‘

**WHEREAS**, the City Council of the City of Pflugerville, Texas (the "City") deems it advisable to call the bond election set forth in this Resolution (the "Election"); and

**WHEREAS**, the City is contracting with Travis County and Williamson County (collectively, the "Contracting Counties") for the administration of the Election pursuant to interlocal agreements with the Contracting Counties (each an "Election Contract"); and

**WHEREAS**, Travis County, acting through the Travis County Elections Administrator (the "Travis County Elections Administrator") in accordance with the Election Contract will provide for the administration of the Election for residents of the City residing in Travis County; and Williamson County, acting through the Williamson County Elections Administrator (the "Williamson County Elections Administrator" and together with the Travis County Elections Administrator, the "Elections Administrators") in accordance with the Election Contract will provide for the administration of the Election for residents of the City residing in Williamson County;

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Resolution 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.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS THAT:**

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

**Section 2. Election Called; Polling Places.** The Election shall be held in the City between the hours of 7:00 a.m. and 7:00 p.m. on May 2, 2020 ("Election Day"). The Election is to be conducted by the Contracting Counties, as provided by Chapter 271, Texas Election Code (the "Code") and the respective Election Contracts. Voting for the Election on Election Day shall occur during the hours and at the designated polling places as set forth in Exhibit A attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. Exhibit A shall be modified

to include additional or different Election Day polling places required to conform to the Code and the respective Election Contracts.

**Section 3. Early Voting.** Early voting shall be administered by the Contracting Counties. Early voting by personal appearance shall begin on April 20, 2020 and conclude on April 28, 2020, and will be conducted at the Early Voting locations on the dates and at the times specified in Exhibit A attached hereto. Exhibit A shall be modified to include additional or different early voting polling places required to conform to the respective Election Contracts and the Code.

**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 Administrators, as applicable, in accordance with the Election Contracts and the Code. The Elections Administrators 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 City Council of the City hereby authorizes the Mayor, the City Manager, and the City Secretary, to execute or attest on behalf of the City the Election Contracts with the Contracting Counties.

**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 April 17, 2020, or shall be mailed to the address below and received (not postmarked) by April 20, 2020.

(a) Applications for voting by mail for all Travis County residents of the City shall be sent as follows:

Postal Mail: Travis County Early Voting Clerk  
PO Box 149325  
Austin, TX 78714-9325

Commercial Carrier or  
Personal Delivery: 5501 Airport Boulevard  
Austin, TX 78751-1410

Telephone: (512) 238-8683

Fax: (512) 854-3969

Email: [ebbm@traviscountytexas.gov](mailto:ebbm@traviscountytexas.gov)

(a) Applications for voting by mail for all Williamson County residents of the City shall be sent as follows:

Postal Mail: Williamson County Elections  
PO Box 209  
Georgetown, TX 78627

Commercial Carrier or  
Personal Delivery: Inner Loop Annex  
301 SE Inner Loop, Ste 104  
Georgetown, TX 78626

Telephone: (512) 943-1633  
Fax: (512) 943-1634  
Email: [BBM@wilco.org](mailto:BBM@wilco.org)

**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 Administrators. 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. Propositions.** At the Election the following PROPOSITIONS shall be submitted in accordance with law:

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

"Shall the City Council of the City of Pflugerville, Texas, be authorized to issue bonds of the City, in one or more series or issues, in the aggregate principal amount of \$101,700,000 with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, improving, extending, expanding, upgrading and/or developing transportation projects comprised of City intersection improvements, City neighborhood street reconstruction, Immanuel Road, FM 685 corridor improvements, SH 45 frontage roads, Kelly Lane, Pfluger Farm Lane North, Main Street, Central Commerce Drive, Picadilly Drive, Cameron Road, East Pflugerville Parkway and East Pecan Street, including utility relocation, sidewalks, traffic safety and operational improvements, the purchase of any necessary rights-of-way, design costs and related drainage and other related costs; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?"

**CITY OF PFLUGERVILLE, TEXAS SPECIAL ELECTION  
CITY OF PFLUGERVILLE, TEXAS PROPOSITION B**

"Shall the City Council of the City of Pflugerville, Texas, be authorized to issue bonds of the City, in one or more series or issues, in the aggregate principal amount

of \$41,200,000 with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, acquiring, improving, renovating, equipping, and/or developing land, buildings and facilities for City park and recreational projects comprised of City trail improvements, neighborhood park development, land acquisition for park and recreation facilities, Lake Pflugerville improvements, 1849 Park improvements and destination play space improvements, including related infrastructure, design costs and other related costs; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?"

**CITY OF PFLUGERVILLE, TEXAS SPECIAL ELECTION  
CITY OF PFLUGERVILLE, TEXAS PROPOSITION C**

"Shall the City Council of the City of Pflugerville, Texas, be authorized to issue bonds of the City, in one or more series or issues, in the aggregate principal amount of \$45,900,000 with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, acquiring, improving, renovating and/or equipping a new Recreation and Senior Center facility, including the acquisition of any necessary sites and related infrastructure, design costs and other related costs; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the 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 PROPOSITIONS with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITIONS to be expressed substantially as follows:

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

FOR \_\_\_\_\_ ) THE ISSUANCE OF \$101,700,000 BONDS BY THE CITY OF  
 ) PFLUGERVILLE, TEXAS, FOR TRANSPORTATION PROJECTS  
 ) FOR CITY INTERSECTION IMPROVEMENTS, CITY  
 ) NEIGHBORHOOD STREET RECONSTRUCTION, IMMANUEL  
 ) ROAD, FM 685 CORRIDOR IMPROVEMENTS, SH 45 FRONTAGE  
 ) ROADS, KELLY LANE, PFLUGER FARM LANE NORTH, MAIN  
 ) STREET, CENTRAL COMMERCE DRIVE, PICADILLY DRIVE,  
 ) CAMERON ROAD, EAST PFLUGERVILLE PARKWAY AND  
 ) EAST PECAN STREET. TAXES SUFFICIENT TO PAY THE  
 ) PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE  
 ) IMPOSED.

**CITY OF PFLUGERVILLE, TEXAS SPECIAL ELECTION**  
**CITY OF PFLUGERVILLE, TEXAS PROPOSITION B**

FOR \_\_\_\_\_ ) THE ISSUANCE OF \$41,200,000 BONDS BY THE CITY OF  
 ) PFLUGERVILLE, TEXAS, FOR CITY PARK AND  
 ) RECREATIONAL PROJECTS FOR CITY TRAIL  
 ) IMPROVEMENTS, NEIGHBORHOOD PARK DEVELOPMENT,  
 ) LAND ACQUISITION FOR PARK AND RECREATION  
 ) FACILITIES, LAKE PFLUGERVILLE IMPROVEMENTS, 1849  
 ) PARK IMPROVEMENTS AND DESTINATION PLAY SPACE  
 ) IMPROVEMENTS. TAXES SUFFICIENT TO PAY THE  
 ) PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE  
 ) IMPOSED.

**CITY OF PFLUGERVILLE, TEXAS SPECIAL ELECTION**  
**CITY OF PFLUGERVILLE, TEXAS PROPOSITION C**

FOR \_\_\_\_\_ ) THE ISSUANCE OF \$45,900,000 BONDS BY THE CITY OF  
 ) PFLUGERVILLE, TEXAS, FOR A NEW RECREATION AND  
 ) SENIOR CENTER FACILITY. 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 Administrators 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 set forth in Sections 8 and 9 hereof.

(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 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 Resolution, the maximum interest rate for any series of the bonds is estimated to be 4.25%. 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 40 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 secured by and payable from ad valorem taxes as of the date of this Resolution is \$138,154,078 (excluding self-supporting debt).

(h) The aggregate amount of the outstanding interest of the City's debt obligations secured by and payable from ad valorem taxes as of the beginning as of the date of this Resolution is \$70,408,445 (excluding self-supporting debt).

(i) The ad valorem debt service tax rate for the City as of the date of this Resolution is \$0.1872 per \$100 of taxable assessed valuation.

The information provided in this section is solely for purposes of compliance with Section 3.009(b) of the Code and is for illustration purposes only. The information is not a part of the proposition to be voted on and does not create a contract with the voters.

**Section 12. Posting and Publication Requirements.** The City Secretary is authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the Code and City Charter; provided that, pursuant to the Election Contracts, the applicable election officials of the Contracting Counties shall have the duty and be responsible for organizing and conducting the election in compliance with the Code; and for providing all services specified to be provided in the Election Contracts. The applicable election officials of the Contracting Counties shall give the notices required by the Code to be given for the election not required to be given by the City under the Election Contracts.

In accordance with provisions of the Code, the form of voter information documents pertaining to each proposition to be voted on at the Election are attached hereto as Exhibit "B" (the "Voter Information Documents"). A substantial copy of this Resolution and the Voter Information Documents (each as may be modified without further City Council action in a manner that is consistent with the calling of the Election and the election notice requirements of the Code applicable to the Election) shall serve as proper notice of the election and the voter information document required by Section 1251.052(b), Texas Government Code, respectively. The City Secretary is authorized to give or cause to be given the following to be posted and published in accordance with law:

- (a) A substantial copy of this Resolution, with such omissions authorized by law, shall be published in a newspaper of general circulation in the City, on the same day in each of two successive weeks with the first publication occurring not earlier than the thirtieth (30th) day or later than the fourteenth (14th) day prior to the day of the Election;
- (b) This Resolution and the Voter Information Documents shall be posted not later than the 21st day prior to the date set for the Election (i) on the bulletin board used for posting notices of meetings of the City Council (and also at City Hall if such bulletin board is located elsewhere) and (ii) at three other places in the City;
- (c) This Resolution and the Voter Information Documents shall be posted on election day and during early voting by personal appearance, in a prominent location at each polling place; and
- (d) This Resolution, the Voter Information Documents and any sample ballot prepared for the Election shall be posted during the 21 days before the election, prominently on the City's Internet website.

Each of this Resolution and the Voter Information Documents shall be published and/or posted, as provided above, in both English and Spanish translations.

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**PASSED AND APPROVED** on this the 11th day of February, 2020.

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Victor Gonzales, Mayor  
City of Pflugerville, Texas

ATTEST:

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Karen Thompson, City Secretary  
City of Pflugerville, Texas

APPROVED AS TO FORM:

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Charles Zech, City Attorney  
Denton, Navarro, Rocha, Bernal & Zech, P.C.



**EXHIBIT A**

**POLLING LOCATIONS, DATES AND HOURS**

**EXHIBIT B**

**FORM OF VOTER INFORMATION DOCUMENTS**