

NOTICE OF ELECTION

**TO THE RESIDENT QUALIFIED ELECTORS OF
THE CITY OF IVANHOE, TEXAS**

TAKE NOTICE that an election will be held in the City of Ivanhoe, Texas on November 6, 2018, in obedience to an ordinance duly passed and adopted by the City Council of the City of Ivanhoe, Texas on August 9, 2018, which ordinance reads substantially as follows:

ORDINANCE #2018-7

THE STATE OF TEXAS	§
COUNTY OF TYLER	§
CITY OF IVANHOE	§

**AN ORDINANCE BY THE CITY COUNCIL
OF THE
CITY OF IVANHOE, TEXAS
CALLING A BOND ELECTION**

WHEREAS, the City Council of the City of Ivanhoe, Texas (hereinafter sometimes referred to as the "City") hereby finds and deems it necessary and advisable to call the election hereinafter ordered in order to determine whether such governing body of the City shall be authorized to issue general obligation bonds of the City in the amount and for the purposes hereinafter identified; and

WHEREAS, the meeting of this City Council of the City at which this Resolution and Ordinance (hereinafter referred to as the "Election Order" or "Order") was adopted was open to the public and public notice of the date, time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code.

THEREFORE, BE IT RESOLVED, ORDERED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF IVANHOE, TEXAS THAT:

1. Findings. The statements contained in the preamble of this Election Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.
2. An election shall be held, and notice is hereby given that an election will be held,

between the hours of 7:00 a.m. and 7:00 p.m. on November 6, 2018, by the City of Ivanhoe, Texas, for the purpose stated herein. Taxes sufficient to pay the principal and interest on the bonds or any related credit agreements may be imposed. All resident qualified electors of the City of Ivanhoe, Texas shall be permitted to vote at such election.

3. The election shall be held jointly with Tyler County, Texas and other political subdivisions within Tyler County in accordance with Chapter 271 of the Texas Election Code and in accordance with the terms and provisions of a Joint Election Agreement in the form presented to the City (the “Joint Election Agreement”). The City Council of the City hereby approves and authorizes the City to enter into the Joint Election Agreement with Tyler County, Texas.

4. The Election Judges for the election, the election precincts and the location of each polling place shall be as shown in the Joint Election Agreement and Exhibit A attached to this Order.

5. As set forth in the Joint Election Agreement, early voting shall be conducted from October 22, 2018 through November 2, 2018, at Tyler County Nutrition Center, 201 Willow St, Woodville, Texas 75979. Early voting by personal appearance shall be conducted in accordance with the Texas Elections Code. The early voting clerk and Presiding Judge shall be Donece Gregory, Tyler County Elections Administrator, whose mailing address is 116 South Charlton, Woodville, Texas 75979 and whose telephone number is (409) 283-2281. Such office or place of early voting by personal appearance shall be open from 8:00 a.m. until 4:30 p.m. on each day for voting which is not a Saturday, a Sunday or an official state holiday, except that such office shall be open for extended early voting hours from 2:00 p.m. to 6:00 p.m. on Saturday, October 27, 2018 and from 8:00 a.m. to 8:00 p.m. on October 29, 2018 and October 30, 2018.

6. The Presiding Judge for early voting by mail shall be Donece Gregory, whose mailing address is 116 South Charlton, Woodville, TX 75979, and whose email address is cc@co.tyler.tx.us, and whose telephone number is (409) 283-2281, to which all ballot applications and early voting ballots shall be sent. Applications for voting ballot by mail must be received no later than the close of business on October 26, 2018. Early voting by mail shall be conducted during the same period as early voting by personal appearance, except that envelopes containing mailed ballots must arrive at the address on the carrier envelope before the polls are required to close on Election Day, unless otherwise determined to be timely pursuant to Article 86.007, Texas Election Code.

7. An Early Voting Ballot Board is hereby created for the purpose of processing early voting results under the supervision of Donece Gregory, Tyler County Elections Administrator, as Presiding Judge, and two other qualified members in accordance with Article 87.001, et seq. of the Texas Election Code.

8. The Central Accumulation location for the tabulation and counting of ballots for this election shall be located at the Tyler County Clerk's office, 116 South Charlton, Woodville, Texas 75979, and Donece Gregory, Tyler County Elections Administrator, is hereby appointed to serve as Presiding Judge of the Central Accumulation location, and shall perform the duties and assume the responsibilities inherent in that office and may appoint clerks to serve at such Central Accumulation location as provided by Texas Election Code, Section 127.006, as amended. The manner in which said election shall be conducted shall be governed by the Texas Education Code and the Texas Election Code and this City Council. The Tyler County Elections Administrator will furnish all necessary ballots and other election supplies requisite to said election.

9. The conduct and manner in which said election shall be conducted shall be governed by and in accordance with the Texas Election Code, the Voting Rights Act Amendments of 1975, and the rules of the Department of Justice, and all other election laws of the State of Texas applicable to the City.

10. A substantial copy of this Election Order shall serve as proper Notice of said election and the City Secretary shall cause said Notice to be published in English and Spanish on the same day in each of two consecutive weeks in the official newspaper approved by the City Council which has general circulation in said City, the first of such publication to appear in such newspaper not more than thirty (30) and not less than fourteen (14) day prior to the day of election. Additionally, the City Secretary shall also cause this Election Order to be posted at least twenty-one (21) days before the date of the election and posted continuously through the date of election as follows: (i) at three (3) public places within the City, (ii) at Ivanhoe City Hall where notices of City Council meetings are customarily posted, (iii) electronically posted on the City's website and (iv) at each polling location for the day of election and each early voting location, all in accordance with the requirements of the Texas Elections Code. The City Secretary is further authorized and directed to publish and post all required notices of this election in the manner and for the periods of time required by law.

11. At said election the following Proposition shall be submitted in accordance with law:

PROPOSITION

Shall the City Council of the City of Ivanhoe be authorized to issue and sell general obligation bonds of the City, in one or more series, in the aggregate principal amount not to exceed \$2,000,000, for the purpose of paying for and financing the cost of constructing, rebuilding, restoring, upgrading, resurfacing, repaving and paving streets and roads in the City, which costs may include professional fees and design and engineering expenses related to such improvements and also the purchase of any necessary right-of-way, utility relocation, traffic safety and operational improvements, drainage and other costs related to such street and road improvements, and to pay the costs of issuance of the bonds and the cost of credit agreements, if any, executed in connection with the bonds, and to pay capitalized interest if authorized and approved by the City Council at the time of issuance of the bonds; which bonds may be issued in various series or issues, may be sold at any price or prices, shall mature serially or otherwise over a period not to exceed forty (40) years from their date, and bear interest at such rate or rates (fixed, variable, floating, adjustable or otherwise) as shall be determined by the City Council of the City within its discretion at the time of issuance, but not to exceed the maximum maturity dates and interest rates now or hereafter authorized by law at the time of issuance; and whether ad valorem taxes shall be levied, assessed and collected upon all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and to provide a sinking fund to pay the bonds at maturity and as they become due, and also to pay the cost of credit agreements, if any, executed in connection with the bonds, all as authorized by the Constitution and the laws of the State of Texas?

12. The official ballot for said 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 ballot to contain such provisions, markings and language as required by law and with such Proposition to be expressed substantially as follows:

PROPOSITION

FOR)	THE ISSUANCE OF \$2,000,000 OF
)	GENERAL OBLIGATION BONDS FOR STREET
AGAINST)	AND ROAD IMPROVEMENTS

13. In all respects, said election shall be conducted in accordance with the Texas Election Code.

14. In accordance with the provisions of Section 3.009(b), Texas Elections Code, it is hereby found and determined by the City Council of the City that:

- (i) The proposition language that will appear on the ballot is set forth in Section 11 hereof.
- (ii) The purpose for which the bonds are to be authorized is set forth in Section 12 hereof.
- (iii) The principal amount of the bonds to be authorized is \$2,000,000, as set forth in Sections 11 and 12 hereof.
- (iv) If the bonds are approved and authorized by the voters, the City Council of the City will be authorized to levy annual ad valorem taxes on all taxable property in the City, within the limits prescribed by law, sufficient to pay the annual principal of and interest on the bonds and provide a sinking fund to pay the bonds at maturity.
- (v) Based upon the bond market conditions at the date of adoption of this Election Order, the maximum rate of interest for any series of the bonds is estimated to be 5.50%, as calculated in accordance with applicable law. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings or lack of 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.
- (vi) As set forth in Section 12, if the bonds are approved, they may be issued in one or more series and mature over a period not to exceed forty (40) years.
- (vii) The aggregate amount of the outstanding principal of the City's debt obligations which are secured by ad valorem taxes as of the beginning of the City's 2017-2018 fiscal year is \$0.00.
- (viii) The aggregate amount of the outstanding interest of the City's debt obligations which are secured by ad valorem taxes as of the

beginning of the City's 2017-2018 fiscal year is \$0.00.

- (ix) The ad valorem debt service tax rate for the City for the 2017-2018 fiscal year is 0.00 per \$100 of taxable assessed valuation.

The statements contained in these findings (i) are based on information available to the City on the date of adoption of this Election Order, including projections obtained from the City's financial advisor, (ii) necessarily consist of estimates and projections that are subject to change based on facts, circumstances and conditions at the time that bonds approved pursuant to this Election Order are issued and (iii) are not intended to limit the authority of the City to issue bonds in accordance with other terms contained in this Election Order. Accordingly, actual tax rates, interest rates, maturity dates, aggregate outstanding indebtedness and interest on such debt will vary and will be established after the bonds are issued. To the extent of any conflict between this subsection and other terms of this Election Order, such other terms control.

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

16. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Election Order are hereby repealed to the extent of such conflict, and the provisions of this Election Order are and remain controlling as to the matters ordered herein.

17. This Election Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

18. If any provision of this Election Order or the application thereof to any person or circumstance is held to be invalid, the remainder of this Election Order and the application of such provision to other persons and circumstances is nevertheless be valid, and this City Council hereby declares that this Election Order would have been enacted without such invalid provision.

19. It is officially found, determined, and declared that the meeting at which this Election Order 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 Order, was given, all as required by Texas Government Code chapter 551, as amended.

20. This Election Order is in force and effect from and after its final passage, and it

is so ordered.

21. To the extent permitted by law, the Mayor, the City Secretary or any other official of the City, in consultation with the City's legal counsel, are hereby authorized to make technical corrections and changes to this Election Order and also changes to any joint election agreement, election services contract, polling places, election judges and officers, and election procedures in the event changes are required, or which may become necessary due to circumstances arising after the date of this Election Order, and are further directed to take any and all action necessary to comply with state and federal law in carrying out and conducting the election, whether or not expressly authorized herein.

PASSED AND APPROVED this 9th day of August, 2018.

ATTEST:

/s/ Mayor, City of Ivanhoe, Texas

/s/ City Secretary, City of Ivanhoe, Texas
(Seal)

EXHIBIT "A"

Polling Places and Election Precincts

Tyler County Voting
Precinct #3

Hillister Baptist Church
Fellowship Hall
258 FM 1013
Hillister, TX 77524