

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY OF WOODCREEK, TEXAS; MAKING PROVISIONS FOR THE CONDUCT AND THE GIVING OF NOTICE OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATED THERETO**

STATE OF TEXAS                   §  
COUNTY OF HAYS               §  
CITY OF WOODCREEK           §

WHEREAS, the City Council (the “City Council”) of the City of Woodcreek, Texas (the “City”) is authorized and has determined to call an election to submit a proposition to voters in the City to determine whether the City Council shall be authorized to issue bonds of the City in the amount and for the purpose hereinafter set forth; and

WHEREAS, the City will enter into one or more Election Agreements (collectively, the “Election Agreement”) with Hays County, Texas (the “County”), by and through the county election officer (the “Administrator”), and possibly other political subdivisions, in accordance with the laws of the State of Texas (the “State”) and applicable federal law; and

WHEREAS, the City Council finds and declares that the meeting at which this Ordinance is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended;

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

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

Section 2. Election Ordered; Date; Proposition. An election (the “Election”) shall be held for and within the City on Tuesday, November 8, 2022 (“Election Day”), in accordance with the Texas Election Code (the “Code”) and other applicable law. At the Election, the following proposition (the “Proposition”) shall be submitted to the qualified voters of the City in accordance with law:

**CITY OF WOODCREEK, TEXAS - PROPOSITION A**

Shall the City Council of the City of Woodcreek, Texas (the “City”) be authorized to issue bonds, in one or more series, in a principal amount not to exceed \$[\_\_\_\_\_] maturing serially or otherwise over a period of years (not to exceed the lesser of 40 years or the maximum prescribed by law) and bearing interest at such rate or rates (fixed, floating, variable or otherwise), not to exceed the respective limits prescribed by law at the time of issuance, as shall be determined within the discretion of the City Council at the time of issuance, and to levy, impose and pledge a tax upon all taxable property in the City sufficient to pay the interest on

the bonds, and to provide a sinking fund for the payment of the bonds as they mature, for the purpose of making permanent public improvements, to wit: constructing, acquiring, improving, renovating, expanding, developing and equipping street improvements in the City, and all matters incident or necessary thereto?

Section 3. Official Ballot. The official ballot for the Election shall be prepared in accordance with and conform to the requirements of the Code so as to permit the electors to vote “FOR” or “AGAINST” the aforesaid Proposition which shall be set forth on the ballot substantially in the following forms:

**CITY OF WOODCREEK, TEXAS - PROPOSITION A**

- |             |   |  |
|-------------|---|--|
| [ ] FOR     | ) | The issuance of bonds in the amount of \$[_____] and the   |
|             | ) | imposition of taxes sufficient to pay the principal of and |
|             | ) | interest on the bonds for street improvements, and all     |
| [ ] AGAINST | ) | matters incident or necessary thereto.                     |

Section 4. Persons Qualified to Vote. All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 5. Election Precincts, Voting Locations and Voting Hours on Election Day. Except as otherwise provided herein, the boundaries and territories of the County election precincts that are wholly or partially within the territorial boundaries of the City are hereby designated as the voting precincts of the City for the Election and the precinct numbers for the City’s election precincts shall be the corresponding County precinct number of each precinct. The Election Day polling places shall be as shown in Exhibit A to this Ordinance. Exhibit A shall be modified to reflect any alterations or changes in or additions to polling places required to conform to the Code or the Election Agreement or as directed by the Administrator. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 6. Early Voting Locations, Dates and Times. Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, or at such other locations as hereafter may be designated by the Administrator. Exhibit B shall be modified to reflect any alterations or changes in or additions to early voting polling places or times for early voting required to conform to the Code or the Election Agreement or as directed by the Administrator.

The Administrator is hereby designated as the Early Voting Clerk. The Administrator’s contact information/delivery addresses for applications for ballots to be voted by mail and other matters related to the Election is as follows:

Jennifer Doinoff  
Official Mailing Address/Physical Address:  
Hays County Elections  
712 South Stagecoach Trail, Suite 1012  
San Marcos, Texas 78666-6294

E-mail Address: elections@co.hays.tx.us (general)  
Phone Number: (512) 393-7310  
Website Address: <https://hayscountytexas.com/departments/elections/>

Section 7. Appointment of Election Officers. Prior to the Election Day, the election judges, alternate judges, clerks and other personnel necessary for conducting the Election will be appointed by the Administrator, and the election judges and alternate judges may be changed, and the polling places may be combined for some precincts, pursuant to decisions of the Administrator. The Administrator shall also be responsible for establishing the central counting station for the ballots cast in such election and appointing the personnel necessary for such station. The City Council hereby authorizes each of the Mayor, City Administrator, City Manager, City Secretary and/or any of their designees (collectively, the “Authorized Representatives”) to appoint any such other officials not designated herein or appointed by the Administrator as are necessary and appropriate to conduct the Election in accordance with the Code.

Section 8. Notice of Election; Voter Information Document. Notice of the Election shall be given in the manner required by the Code and other applicable law. A voter information document for the Proposition in the form attached hereto as **Exhibit C** is hereby approved, together with such revisions as may be approved by the Authorized Representatives, and shall be posted in accordance with law. To the extent required by law, the notice of the Election shall include the City’s internet website address, which is woodcreektx.gov.

Section 9. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 10. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges and alternate judges or clerks appointed by the Administrator or the Authorized Representatives, in accordance with the Election Agreements, the Code and the Constitution and laws of the State and the United States of America. The Authorized Representatives are authorized to enter into, execute and deliver one or more Election Agreements, in accordance with applicable provisions of the Code. The terms and provisions of each Election Agreement are hereby incorporated into this Ordinance. To the extent of any conflict between this Ordinance and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the Authorized Representatives are authorized to make such corrections, changes, revisions and modifications to this Ordinance, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable State and federal law and to carry out the intent of the City Council, as evidenced by this Ordinance. The Administrator shall be responsible for establishing the central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 11. Necessary Actions. The Mayor and City Council of the City, in consultation with the City’s attorney and bond counsel are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

Section 12. Mandatory Disclosure of Information.

(a) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 3 of this Ordinance, (ii) the purposes for which the bonds are to be authorized are set forth in Section 2 of this Ordinance, (iii) the principal amount of bonds to be authorized is set forth in Section 2 of this Ordinance, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, within the limits prescribed by law, to pay the principal of and interest on the bonds may be imposed, as set forth in Section 2 of this Ordinance, (v) bonds authorized pursuant to this Ordinance may be issued to mature over a specified number of years not to exceed the lesser of 40 years or the maximum number of years authorized by law and bearing interest at the rate or rates (not to exceed 15%), as authorized by law and determined by the City Council, (vi) as of the date of the adoption of this Ordinance, the aggregate amount of outstanding principal of the City's debt obligations is \$436,838, and the aggregate amount of outstanding interest on the City's debt obligations is \$11,587 and (vii) the City's ad valorem debt service tax rate as of the date of adoption of this Ordinance is \$0.0780 per \$100 of taxable property.

(b) Based upon market conditions as of the date of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 4.50%. 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. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the City's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to give rise to a contract with voters or limit the authority of the City Council to issue bonds in accordance with the Proposition submitted by this Ordinance.

Section 13. Severability. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of the City Council that every section, paragraph, subdivision, clause, phrase, work, or provision hereof be given full force and effect for its purpose.

Section 14. Effective Date. Pursuant to the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

*[Signature page follows.]*

PASSED AND APPROVED this \_\_\_\_\_, 2022.

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Jeff Rasco, Mayor  
City of Woodcreek, Texas

ATTEST:

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Suzanne J. Mac Kenzie, City Secretary  
City of Woodcreek, Texas

(SEAL)

**EXHIBIT A**

**ELECTION DAY POLLING LOCATIONS  
(Between the hours of 7:00 a.m. and 7:00 p.m.)**

*[Polling location information shall be incorporated upon its approval by  
the Hays County Commissioners Court]*

**EXHIBIT B**

**EARLY VOTING POLLING LOCATIONS AND TIMES**

*[Polling location information shall be incorporated upon its approval by  
the Hays County Commissioners Court]*

**EXHIBIT C**

**VOTER INFORMATION DOCUMENT**

**CITY OF WOODCREEK, TEXAS - PROPOSITION A**

- [ ] FOR            )       The issuance of bonds in the amount of \$[\_\_\_\_\_] and the  
                           )       imposition of taxes sufficient to pay the principal of and  
                           )       interest on the bonds for street improvements, and all  
 [ ] AGAINST    )       matters incident or necessary thereto.

1. Principal of the debt obligations to be authorized	\$[_____]
2. Estimated interest for the debt obligations to be authorized	\$[_____]
3. Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized	\$[_____]
4. Principal of all outstanding debt obligations of the City*	\$[_____]
5. Estimated remaining interest on all outstanding debt obligations of the City*	\$[_____]
6. Estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the City*	\$[_____]
7. Estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the City with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved, based upon assumptions made by the governing body of the City	\$[_____]
8. Other information that the City considers relevant or necessary to explain the foregoing information	<b>See major assumptions listed below.</b>

\* As of the date of adoption of the City’s Bond Election Ordinance.

**Major assumptions for statements above, including statement 7:**

(1) Assumed amortization of the City’s debt obligations, including outstanding debt obligations and the proposed debt obligations:

<b>Term</b>	<b>Principal</b>	<b>Interest</b>	<b>Total Proposed Debt Service</b>	<b>Total Debt Service + Existing Debt</b>
[_] Years	\$[_____]	\$[_____]	\$[_____]	\$[_____]

(2) Assumed changes in estimated future appraised values within the City: [\_\_\_\_\_].

(3) Assumed interest rate on the debt obligations to be issued: [\_\_\_\_\_] %.

(4) Assumes that the City will [not] grant any optional homestead or other property tax exemptions.



(5) Assumes homestead will not qualify for idiosyncratic exemptions, including, but not limited to, the state-mandated homestead exemption for disabled veterans and their families, surviving spouses of members of the armed services killed in action and surviving spouses of first responders killed or fatally wounded in the line of duty.

(6) Assumes that applicable law will not change to provide for mandatory property tax exemptions or property tax freezes that are not available under current law.

(7) Assumes municipal bond insurance will not be obtained for the proposed debt obligations.

(8) As required by Section 1251.052, Texas Government Code, this Voter Information Document has been prepared for the proposition set forth in this Voter Information Document (the “Proposition”), which is being submitted to voters pursuant to an Ordinance Calling a Bond Election to be Held Within the City of Woodcreek, Texas; Making Provisions for the Conduct and the Giving of Notice of the Election; and Containing Other Provisions Related Thereto (the “Bond Election Ordinance”).

The estimates contained in this Voter Information Document are (i) based on certain assumptions (including the major assumptions listed above and assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the City’s financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 1251.052, Texas Government Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to (and expressly do not) give rise to a contract with voters or limit the authority of the City to issue bonds in accordance with the Proposition submitted by the City’s Bond Election Ordinance.