

NOTICE OF ELECTION

THE STATE OF TEXAS	§
	§
COUNTY OF LIBERTY	§
	§
CITY OF DAISSETTA	§

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TO THE RESIDENT, QUALIFIED VOTERS OF THE
CITY OF DAISSETTA

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TAKE NOTICE that an election will be held in the City of Daisetta Texas on November 3, 2020, concerning the issuance of bonds, all in accordance with to an ordinance duly entered by the City Council of the City of Daisetta, Texas on, which ordinance reads substantially as follows:

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF DAISSETTA, TEXAS; MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION, INCLUDING AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS

WHEREAS, the City Council (the *Council*) of the CITY OF DAISSETTA, TEXAS (the *City*), located in Liberty 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 amount and for the purposes hereinafter identified (the *Election*); and

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

WHEREAS, the Election will be held jointly with other political subdivisions (collectively, the *Participants*) as provided pursuant to an election services agreement and/or a joint election or similar agreement between or among (as applicable) the District and any Participants, entered into according to the Texas Election Code, as amended (the *Code*); 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 CITY OF DAISSETTA, TEXAS THAT:

SECTION 1. The Election shall be held in the CITY OF DAISSETTA, TEXAS on November 3, 2020 (*Election Day*), which is a uniform election date under the Code and is not less than 78 days nor more than 90 days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following measure to the qualified voters of the City:

MEASURE A

“Shall the City Council of the City of Daisetta, 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 \$2,120,000 for the purpose of (a) constructing, installing, and acquiring additions, extensions, and improvements to the City’s Utility System, including but not limited to the construction of a new water well, installation of related pipeline and the acquisition of related right-of-way; and (b) paying fiscal and engineering fees in connection with such projects, such bonds to mature serially or otherwise (not more than 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, on all taxable property in the City sufficient, without limit as to rate or amount, to pay principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

SECTION 2. One or more City election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the City election precincts as identified in Exhibit A to this Ordinance (which is incorporated herein by reference for all purposes). At least 79 days prior to Election Day, or as soon thereafter as is reasonably practicable, the Mayor, the City Attorney, or the respective designee of either, in coordination with the Administrator, or the designee thereof, as necessary or desirable, will appoint 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 City, the Administrator, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations must include a person fluent in the Spanish language.

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

C. The main early voting location is designated in Exhibit B to this Ordinance (which is 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 Code.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained according to the 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 will be 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 resident qualified voters of the City 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 of the 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 State and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method 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 is authorized to utilize a Central Counting Station (the *Station*) as provided by Section 127.001, *et seq.*, of the Code. The Administrator, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station according to the Code. The Council hereby authorizes the Administrator, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The Administrator will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station according to the Code.

SECTION 5. The official ballot shall be prepared according to the Code so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measure, which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF NOT TO EXCEED \$2,120,000 OF CITY OF DAISSETTA, TEXAS GENERAL OBLIGATION BONDS FOR CONSTRUCTING, INSTALLING, AND ACQUIRING ADDITIONS, EXTENSIONS, AND IMPROVEMENTS TO THE CITY’S UTILITY SYSTEM, INCLUDING THE CONSTRUCTION OF A NEW WATER WELL, INSTALLATION OF RELATED PIPELINE AND THE ACQUISITION OF RELATED RIGHT-OF-WAY, 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 Texas Election and Government Codes, as amended, and as may be required by other law. To the extent required by law, materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7. Notice of election, including a Spanish translation thereof, 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 days, prior to Election Day. Moreover, a substantial copy of this Ordinance and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (a) not less than 21 days prior to Election Day (1) on the bulletin board at City Hall used for posting notices of Council meetings, (2) in three additional public places within the City's boundaries, (3) in a prominent location on the City's internet website if it maintains one, and (b) in a prominent location at each polling place on Election Day and during early voting. A sample ballot shall be posted on the City's internet website not less than 21 days prior to Election Day.

SECTION 8. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Code, the City, as of the date of this Ordinance, had outstanding an aggregate principal amount of debt equal to \$985,000; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$654,232.50; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.00 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board's adoption of this Ordinance, the maximum interest rate for any series of bonds authorized at the Election is 5% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the City estimates that, based on current bond market conditions, such bonds will amortize over a 20-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Council authorizes the Mayor, the City Attorney, or the respective designee of either, to negotiate and enter into one or more joint election agreements, election service contracts, and/or similar contracts or agreements with the County, acting by and through the Administrator, and any Participants if desired or required to comply with applicable law, as permitted and in accordance with the Code. In addition, the Council authorizes the Mayor, the City Attorney, or the respective designee of either, to make such technical modifications to this Ordinance that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein.

SECTION 10. The Council authorizes the City Attorney to take all actions necessary to execute any necessary financial advisory contracts with SAMCO Capital Markets, Inc., as the financial advisor to the City (the *Financial Advisor*). The City understands that under applicable federal securities laws and regulations that the City must have a contractual arrangement with its Financial Advisor relating to the sale, issuance, and delivery of any bonds to be authorized by the Election.

SECTION 11. 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 12. 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 13. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 14. It is officially found, determined, and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 15. 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 16. Pursuant to Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

YOU WILL, THEREFORE, take notice of all the matters and facts set out in the foregoing Notice of Election.

//s// Joan Carruthers, City Secretary, City of Daisetta, Texas

Exhibit A (Anexo A)

ELECTION DAY (DÍA DE LA ELECCIÓN)

Election Day: Tuesday, November 3, 2020.
(Día de la Elección: Sábado 2 de mayo de 2020.)

Election Day Polling Locations open from 7 a.m. to 7 p.m.
(Lugares de votación del Día de la Elección abiertos de 7 a.m. a 7 p.m.)

Presiding Judges and Alternates: to be determined by the elections administrator.
(Jueces Presidentes y Suplentes: estar determinado por el administrador de elecciones).

City Precinct <i>(Precinto del Distrito)</i>	Liberty County Precinct <i>(Precinto del Condado de Liberty)</i>
1	13

Polling Places* (Lugars de la votación*)

The Lighthouse Church, 17283 Hwy. 146, North Hardin TX 77575
Hardin City Hall, 142 C.R. 2010, Hardin TX 77575
Devers High School, 201 S. Chism St., Devers TX 77538
Jack Hartel Building, 318 San Jacinto St., Liberty TX 77575
Calvary Baptist Church, 15 C.R. 129, Liberty TX 77575
Cleveland Civic Center, 210 Peach Ave., Cleveland TX 77327
Oak Shade Baptist Church, 1807 C.R. 2212, Cleveland TX 77327
Hi-Way Tabernacle, 108 C.R. 2250, Cleveland TX 77327
Dayton I.S.D. Admin Building, 100 Cherry Creek Rd., Dayton TX 77535
Sacred Heart Catholic Church, 3730 F.M. 160 N, Raywood TX 77582
Hull-Daisetta High School, 117 North Main Hwy. 770, Daisetta TX 77533
St. Anne's Catholic Church, 744 C.R. 622, Dayton TX 77535
Romayor Baptist Church, 307 F.M. 2610, Romayor TX 77368
Our Mother of Mercy Catholic Church, 101 Donatto Rd., Ames TX 77575
Douglas School Gym, 900 Samuel Wiley Dr., Cleveland TX 77327
Kenefick Southern Baptist Church, 3536 F.M. 1008, Kenefick TX 77535
Dayton Community Center, 801 S. Cleveland, Dayton TX 77535
Sante Fe Administration/Activities Bldg., 1680 C.R. 3549, Cleveland TX 77327
South Liberty County V.F.D., 8704 F.M. 1409, Dayton TX 77535
St. Luke's Presbyterian Church, 60 F.M. 1010, Cleveland TX 77327

*Liberty County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified above.

(*Condado del Liberty participa en el programa de Lugar de Votación del Condado bajo la Sección 43.007, según enmendada, el Código Electoral de Texas. Los votantes registrados [de este condado] podrán emitir sus boletas el día de las elecciones en cualquiera de los centros de votación identificados arriba.)

Exhibit B (Anexo B)

EARLY VOTING (VOTACIÓN ANTICIPADA)

Early Voting Clerk (*Secretario de Votación Anticipada*): Klint D. Bush, 1923 Sam Houston St., Liberty, TX 77575.

Presiding Judge of the Early Voting Ballot Board (*Juez Presidente del Consejo de Boletas de Votación Anticipada*): to be determined (*estar determinado*).

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site. (*Los votantes con derecho a votar una boleta temprana por comparecencia personal pueden hacerlo en cualquier sitio de votación temprana*).

Cleveland Civic Center, 2010 Peach Avenue, Cleveland, TX 77327¹
Hardin City Hall, 142 CR 2010, Hardin, TX 77575
Dayton Community Center, 801 S. Cleveland Street, Dayton, TX 77535
Jack Hartel Community Building, 318 San Jacinto Street, Liberty, TX 77575

October 13-16 (<i>Octubre 13-16</i>)	9:00 a.m. – 4:00 p.m.
October 19 (<i>Octubre 19</i>)	9:00 a.m. – 4:00 p.m.
October 20-23 (<i>Octubre 20-23</i>)	9:00 a.m. – 7:00 p.m.
October 24 (<i>Octubre 24</i>)	9:00 a.m. – 4:00 p.m.
October 26 (<i>Octubre 26</i>)	9:00 a.m. – 4:00 p.m.
October 27-28 (<i>Octubre 27-28</i>)	9:00 a.m. – 7:00 p.m.
October 29-30 (<i>Octubre 29-30</i>)	7:00 a.m. – 7:00 p.m.

Early Voting By Mail (*Votación Anticipada por Correo*)

Applications for voting by mail should be received no later than the close of business (5:00 pm) on Friday, October 23, 2020. Applications should be sent to:

(*Las solicitudes de votación por correo deben ser recibidas a más tardar al cierre de operaciones (5:00 p.m.) del 23 de octubre de 2020. Se deben enviar las solicitudes a:*)

Klint D. Bush, P.O. Box 1130, Liberty, TX 77575
fax “Attention Elections Department” (*fax “Atención Departamento de Elecciones”*): (936) 334-3236.
email (*correo electrónico*): elections@co.liberty.tx.us

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

(*Si se envía por fax o correo electrónico una solicitud de boleta por correo (o si se envía por fax una solicitud postal federal), el solicitante también debe enviar la solicitud original para que el secretario de votación anticipada reciba el original a más tardar cuatro días después de recibir la copia enviada por correo electrónico o por fax.*)

¹ main location (*ubicación principal*)

Exhibit C (Anexo C)

VOTER INFORMATION DOCUMENT (DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)

City of Daisetta, Texas Proposition A: *(Propuesta A del Ciudad de Daisetta, Texas:)*

<input type="checkbox"/> FOR <i>(a favor)</i>	“THE ISSUANCE OF NOT TO EXCEED \$2,120,000 OF CITY OF DAISETTA, TEXAS GENERAL OBLIGATION BONDS FOR CONSTRUCTING, INSTALLING, AND ACQUIRING ADDITIONS, EXTENSIONS, AND IMPROVEMENTS TO THE CITY’S UTILITY SYSTEM, INCLUDING THE CONSTRUCTION OF A NEW WATER WELL, INSTALLATION OF RELATED PIPELINE AND THE ACQUISITION OF RELATED RIGHT-OF-WAY, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”	“LA EMISIÓN QUE NO EXCEDERÁ DE \$2,120,000 DE BONOS DE OBLIGACIÓN GENERAL DE LA CIUDAD DE DAISETTA, TEXAS PARA CONSTRUIR, INSTALAR Y ADQUIRIR ADICIONES, EXTENSIONES Y MEJORAS PARA EL SISTEMA DE SERVICIOS PÚBLICOS DE LA CIUDAD, QUE INCLUYEN, ENTRE OTROS, LA CONSTRUCCIÓN DE UN NUEVO POZO DE AGUA, LA INSTALACIÓN DE LAS TUBERÍAS RELACIONADAS Y LA ADQUISICIÓN DE LOS DERECHOS DE VÍA RELACIONADOS, Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR”.
<input type="checkbox"/> AGAINST <i>(en contra)</i>		

principal of debt obligations to be authorized <i>(capital de obligaciones de deuda que se autorizará)</i>	\$2,120,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 5% <i>(interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de interés del 5)</i>	\$1,239,122
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 20 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 20 años)</i>	\$3,359,122
as of the date the election was ordered, principal of all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes)</i>	\$985
as of the date the election was ordered, the estimated interest on all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes)</i>	\$654,232
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 20 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 20 años)</i>	\$4,998,354
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved <i>(aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba)</i>	\$0
This figure assumes the City’s utility system will continue to be self-supporting from revenues of the system.. <i>(Esta cifra supone que el sistema de servicios públicos de la Ciudad seguirá siendo autosuficiente de los ingresos del sistema.)</i>	