

ORDINANCE NO. 20200812-010

AN ORDINANCE ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR TRANSPORTATION INFRASTRUCTURE; PROVIDING FOR THE CONDUCT OF THE SPECIAL ELECTION; AUTHORIZING THE CITY CLERK TO ENTER INTO JOINT ELECTION AGREEMENTS WITH OTHER LOCAL POLITICAL SUBDIVISIONS AS MAY BE NECESSARY FOR THE ORDERLY CONDUCT OF THE ELECTION; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. A special election shall be held in the City of Austin on November 3, 2020, for the voters to consider the issuance of general obligation bonds and notes for transportation infrastructure. The Council establishes that the following proposition shall be presented to the voters at the special election:

**CITY OF AUSTIN PROPOSITION B
(TRANSPORTATION INFRASTRUCTURE)**

Shall the City Council of the City of Austin, Texas, be authorized to issue general obligation bonds and notes of the City for transportation and mobility purposes, to wit: planning, designing, constructing, reconstructing, equipping, and improving sidewalks, urban trails, bikeways, bridges, roads, streets, intersections, and related utility and drainage infrastructure including implementing Safe Routes to School infrastructure; improving traffic signal synchronization and communications and control systems and acquiring and installing traffic signals and related technology to implement traffic safety and fatality reduction strategies; acquiring land and interests in land and property necessary for such purposes; and all matters necessary or incidental thereto; with the bonds and notes to be issued in one or more series or issues, in the aggregate principal amount of \$460,000,000, to mature serially or otherwise and bear interest at a rate or rates not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at the price or prices as the City Council determines and

shall there be levied and pledged, assessed, and collected annually ad valorem taxes on all taxable property in the City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on the bonds and notes and to provide a sinking fund to pay the bonds and notes at maturity?

PART 2. The Proposition will appear on the official ballot in substantially the following form, and the ballot shall be prepared to permit voting “For” or “Against” the Proposition:

CITY OF AUSTIN PROPOSITION B

The issuance of \$460,000,000 in tax supported general obligation bonds and notes for planning, constructing, reconstructing, and improving sidewalks, urban trails, bikeways, bridges, roads, streets, intersections, and related utility and drainage infrastructure for the roads and streets; improving traffic signal synchronization and communications and control systems and acquiring and installing traffic signals and related technology to implement traffic safety and traffic fatality reduction strategies; and acquiring land and interests in land and property necessary to do so; and the levy of a tax sufficient to pay for the bonds and notes.

PART 3. Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Part 2 hereof, (ii) the purposes for which the bonds and notes are to be authorized are set forth in Part 1 hereof, (iii) the principal amount of bonds and notes to be authorized is set forth in Part 1 hereof, (iv) if the issuance of bonds and notes is authorized by voters, taxes sufficient, within the limits prescribed by law, to pay the annual principal of and interest on the bonds and notes and to provide a sinking fund to pay the bonds and notes may be imposed, as set forth in Part 1 hereof, (v) bonds and notes authorized pursuant to this ordinance may be issued to mature over not to exceed 40 years from their date of issuance and bearing interest at the rate or rates as authorized by law and determined by the Council, (vi) as of the beginning of the City’s current fiscal year, the aggregate amount of outstanding principal of the City’s debt obligations was \$ 1,557,850,000 and the aggregate amount of outstanding interest on the City’s debt obligations was \$ 518,332,071, and (vii) the City’s ad valorem debt service tax rate as of the date of adoption of this ordinance is \$.1094 per \$100 of taxable property.

Based upon market conditions as of the date of this ordinance and using taxable assessed values for the 2019 tax year (2019/2020 fiscal year), without adjustment for anticipated growth in taxable assessed value in future years, if the bonds and notes are authorized, the estimated total tax rate of the City is expected to be approximately \$.52149 per \$100 of taxable assessed value, (which represents an increase of \$.07839 per \$100 taxable assessed valuation as compared to the City's total tax rate as of the date of the adoption of this ordinance), based on current State law, which is subject to change. The estimated total tax rate represents the sum of (i) the most recently adopted tax rate for operations and maintenance, which is \$.3337 per \$100 of taxable assessed valuation, plus (ii) the estimated tax rate for debt obligations of the City, including the bonds and notes, which is expected to be approximately \$.18779 per \$100 of taxable assessed valuation.

If approved by voters, the bonds and notes will be secured by an ad valorem tax that is sufficient, within the limits prescribed by law, to pay the principal of and interest on the bonds and notes and to provide a sinking fund to pay the bonds and notes. Actual tax rates, interest rates, maturity dates, aggregate outstanding indebtedness and interest on such debt, will only be established and known at the time that bonds and notes are issued. In addition, actual tax rates will depend upon, among other factors, the assessed valuation of taxable property, prevailing interest rates, the market for the City's bonds and notes and general market conditions at the time that bonds and notes are issued.

The estimated tax rates and other statements contained in this Part 3 are (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds and notes) 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 and notes 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 Council to issue bonds and notes in accordance with the propositions submitted herein.

PART 4. The election shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. The location of the main early voting polling place, the dates and hours for

early voting, and the early voting clerk's official mailing address are provided in Exhibit A, attached and incorporated as a part of this ordinance.

PART 5. A direct electronic recording voting system, as the term is defined in Title 8 of the Texas Election Code, shall be used for early voting and for voting conducted on election day. The central counting station is established at the Travis County Elections Division, 5501 Airport Boulevard, Austin, Texas.

PART 6. (a) Notice of this election shall be given by posting and publishing a copy of this ordinance in both English and Spanish. The notice and a copy of this ordinance shall be posted, in both English and Spanish, in three public places and at the City Hall notice kiosk not later than the 21st day before election day. The copy of the notice posted at City Hall shall be accompanied by a cover page, at the top of which shall appear the words "MUNICIPAL GENERAL AND SPECIAL ELECTIONS, NOVEMBER 3, 2020." Notice of this election shall be published, not earlier than the 30th day before the date of the election, in a newspaper of general circulation on the same day in each of two successive weeks, with the first publication occurring before the 14th day before the date of the election.

(b) A copy of this ordinance shall be posted, in both English and Spanish, on election day and during early voting by personal appearance, in a prominent location at each polling place.

(c) This ordinance, together with the notice of election and the contents of the Propositions, shall be posted on the City's website, in both English and Spanish, during the twenty-one (21) days before the election.

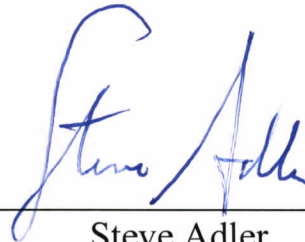
PART 7. In accordance with Chapter 271 of the Texas Election Code, the November 3, 2020 municipal election may be held jointly with the various political subdivisions that share territory with the City of Austin and that are holding elections on that day. The City Clerk may enter and sign joint election agreements with other political subdivisions for this purpose, and their terms as stated in the agreements are hereby adopted.

PART 8. The Council finds that the need to immediately begin required preparations for this election constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

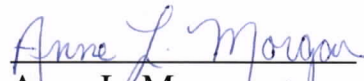

August 13, 2020

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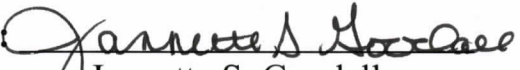


Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney
by 

ATTEST:


Jannette S. Goodall
City Clerk