

RESOLUTION NO. 07-28-20- 1

A RESOLUTION AMENDING AND RESTATING A RESOLUTION CALLING A BOND ELECTION TO BE HELD IN THE CITY OF AMARILLO, TEXAS; MAKING PROVISION FOR THE CONDUCT OF AN ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the City Council (the *Council*) of the CITY OF AMARILLO, TEXAS (the *City*), located in Potter County, Texas and Randall County, Texas has previously adopted a resolution calling a bond election to be held in the City on May 2, 2020;

WHEREAS, the May 2, 2020 election was postponed in accordance with a proclamation of the Governor of Texas;

WHEREAS, the Council hereby finds and determines that an election should be held on November 3, 2020, 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 enter into election services contracts with the Potter County Elections Administrator and the Randall County Elections Administrator, in accordance with the provisions of Subchapter D of Chapter 31, as amended, Texas Election Code, or other applicable law, pursuant to which the Elections Administrators will assist with certain aspects of the Election on the City's behalf;

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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS THAT:

Section 1: Sections 1 through 15 of the resolution passed and approved by the City Council on February 11, 2020, relating to calling a bond election to be held in the City are hereby amended and restated as follows:

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

CITY OF AMARILLO, TEXAS PROPOSITION A

“SHALL the City Council of the City of Amarillo, Texas be authorized to issue general obligation bonds of the City in the principal amount of \$275,000,000 for permanent public improvements and public purposes, to-wit: acquiring, constructing, improving, expanding, and equipping the City’s convention center facilities, to-wit: the City’s civic center complex and any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed THIRTY (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

SECTION 2. Pursuant to an agreement to be entered into with the Potter County Elections Department, for that portion of the City located in Potter County and the Randall County Elections Department for that portion of the City located in Randall County, the election shall be conducted by the Potter County Elections Department and the Randall County Elections Department, respectively, in accordance with the provisions of the respective agreements for election services (the “Contracts”).

The polling places for this election are shown in **Exhibit A**, which is attached hereto and incorporated herein by reference as a part of this Resolution for all purposes. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the Contracts.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 3. With respect to that portion of the City located in Potter County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B1**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Melynn Huntley, Potter County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks at such early voting polling place in accordance with the agreement with the Potter County Elections Department.

With respect to that portion of the City located in Randall County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Shannon Lackey, Randall County Elections Administrator, is hereby appointed as early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the agreement with the Randall County Elections Department.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contracts.

SECTION 4: With respect to voters of the City residing in Potter County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Office of the Elections Department, 900 South Polk Street, Suite 320, Amarillo, Texas and the

Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Potter County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Texas Election Code, Section 127.006, as amended.

With respect to voters of the City residing in Randall County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Randall County Election Department, 1604 5th Avenue, Canyon, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Randall County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Election Code, as amended.

SECTION 5. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid proposition which shall appear on the ballot substantially as follows:

CITY OF AMARILLO, TEXAS PROPOSITION A

“THE ISSUANCE OF \$275,000,000 GENERAL OBLIGATION BONDS FOR CONVENTION CENTER FACILITIES EXPANSION AND IMPROVEMENT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”

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 provisions of the Texas Election Code, as amended, Chapters 1251 and 1331, as amended, Texas Government Code, and as may be required by any other law. To the extent required by law, all 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 Resolution and the voter information attached as **Exhibit C**, including a Spanish translation thereof, shall be posted (i) at City Hall not less than 21 days prior to Election Day; (ii) at three additional public places within the City not less than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the City’s internet website not less than 21 days prior to Election Day. 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 Texas Election Code, the City, as of the date of this Resolution, had outstanding an

aggregate principal amount of debt equal to \$149,447,000.00; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$37,092,466.88; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.04403 per \$100 of taxable assessed valuation. The City estimates an ad valorem debt service tax rate of \$0.1669 per \$100 of taxable assessed valuation if the bonds that are subject of the Election are approved and are issued (taking into account the outstanding City bonds and bonds that are the subject of this Election, but not future bond authorizations of the City). The bonds that are the subject of this Election shall mature serially or otherwise overall a specified number of years (not more than 40 years from their date), as preserved by applicable Texas law, though the City estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated tax rate and amortization period are only estimates, provided for Texas statutory compliance, and do not serve as a cap on any City ad valorem tax rate or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Council authorizes the Mayor, the City Manager, or their respective designee, to negotiate and enter into one or more election agreements and/or similar contracts or agreements with Potter County and Randall County, acting by and through their respective Elections Administrators, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the City authorizes the Mayor, the City Manager, or their respective designee of either of such parties to make such technical modifications to this Resolution that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein. To the extent that any duty or obligation of the City, in general, or any City official, in particular, is properly delegated to the Potter County and Randall County pursuant to an election agreement with such County, then the County's carrying out those duties and obligations on the City's behalf pursuant to the terms of such election agreement shall be binding upon the City and are hereby determined by the Council to be evidence of the City's compliance with the provisions of applicable Texas law concerning the Election relative to the same.

SECTION 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 11. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordained herein.

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

SECTION 13. It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 15. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Resolution shall be effective immediately upon adoption.

Section 2: Except as hereby amended and restated, all of the provisions of the Resolution passed and approved on February 11, 2020, related to calling a bond election to be held in the City are hereby ratified, confirmed and readopted and any provisions of or actions taken in connection with the resolution passed and approved on February 11, 2020 related to calling a bond election for May 2, 2020 are hereby repealed and rescinded to the extent they are in conflict with the provisions of this Resolution.

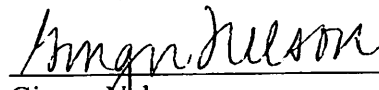
Section 3: Public Meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended and as in effect on the date hereof.

Section 4: Effective Date. This Resolution shall take effect and be in full force from and after its adoption on the date shown below in accordance with Texas Government Code, Section 1201.028, as amended.

* * * *

PASSED AND APPROVED on the 28 day of July, 2020.

CITY OF AMARILLO, TEXAS



Ginger Nelson
Mayor

ATTEST:



Frances Hibbs
City Secretary

(CITY SECRETARY)



[Signature Page to City of Amarillo, Texas Resolution Calling a Bond Election]

Exhibit A

ELECTION DAY POLLING PLACES

Election Day: Tuesday, November 3, 2020

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judge(s) and Alternate(s): to be determined by the Administrator

Polling Locations

Potter County

Amarillo Auto Supply and Off Road, 3601 E. Amarillo Blvd., Amarillo, Texas 79107-5735

Casey Carpet One, 3500 I-40 West Frontage Road, Amarillo, Texas 79103

Chaparral Hills Church, 4000 W. Cherry, Amarillo, Texas 79108

Don Harrington Discovery Center, 1200 Streit Drive, Amarillo, Texas 79106

Highland Park ISD Admin. Bldg., 15300 E. Amarillo Blvd., Amarillo, Texas 791808

Hillside Christian Church, NW, 600 Tascosa Road, Amarillo, Texas 79124

Kids, Inc., 2201 SE 27th Avenue, Amarillo, Texas 79103

Lighthouse Baptist Church, 5631 Pavillard, Amarillo, Texas 79108

Pride Home Center, Inc., 3503 NE 24th Avenue, Amarillo, Texas 79107

Second Baptist Church, 419 N. Buchanan, Amarillo, Texas 79107

The Church at Bushland, 1800 FM 2381, Bushland, Texas 79012

Trinity Baptist Church, 1601 I-40 West, Amarillo, Texas 79109

United Citizens Forum, 901 N. Hayden, Amarillo, Texas 79107

Valle de Oro Fire Station, 23801 FM 1061, Valle de Oro, Texas 79010

Wesley Community Center, 1615 S. Roberts St., Amarillo, Texas 79102

Randall County

Arden Road Baptist, 6701 Arden Road, Amarillo, Texas 79109

Central Baptist Church, 1601 SW 58th Avenue, Amarillo, Texas 79110

Comanche Trail Church of Christ, 2700 SE 34th Avenue, Amarillo, Texas 79103

Coulter Road Baptist Church, 4108 S. Coulter, Amarillo, Texas 79109

Oasis Southwest Baptist, 8201 Canyon Drive, Amarillo, Texas 79110

Randall County Annex, 4320 S. Western, Amarillo, Texas 79110

Randall County Fire Department #2, 9451 FM 2186, Amarillo, Texas 79119

Randall County Justice Center, 2309 Russell Long Blvd., Canyon, Texas 79015

Redeemer Christian Church, 3701 S. Soncy Road, Amarillo, Texas 79119

Region 16 Education Service Center, 5800 Bell Street, Amarillo, Texas 79109

Southwest Church of Christ, 4515 Cornell St., Amarillo, Texas 79109

The Cowboy Church, 8827 S. Washington, Amarillo, Texas 79118

The Summit, 2008 12th Avenue, Canyon, Texas 79015

Potter County and Randall County participate 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 located in the County of their residence.

Exhibit B

EARLY VOTING

Early voting begins October 13, 2020 and ends on October 30, 2020.

Potter County Early Voting Clerk: Melynn Huntley, 900 South Polk Street, Amarillo, Texas 79101.

Randall County Early Voting Clerk: Shannon Lackey, 1604 5th Avenue, Canyon, Texas 79015

Presiding Judges of the Early Voting Ballot Boards: to be determined by the Administrators.

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site October 13-30.

Main Early Voting Polling Place, Dates, and Times

Polling Place	Dates	Times	
Potter County			
Santa Fe Building	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
Ticket Office	Saturday	October 24	7:00 a.m. – 7:00 p.m.
900 South Polk	Sunday	October 25	12:00 p.m. – 5:00 p.m.
Amarillo, Texas 79101	Monday – Friday	October 26-30	7:00 a.m. – 7:00 p.m.
Randall County			
Randall County Election	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
Administration Office	Saturday	October 24	7:00 a.m. – 7:00 p.m.
1604 5 th Avenue	Sunday	October 25	12:00 p.m. – 5:00 p.m.
Canyon, Texas 79015	Monday – Friday	October 26-30	7:00 a.m. – 7:00 p.m.

Branch Early Voting Polling Places, Dates, and Times

Polling Place	Dates	Times	
Potter County			
Casey Carpet One	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
3500 I-40 W. Frontage Road	Saturday	October 24	9:00 a.m. – 3:00 p.m.
Amarillo, Texas 79103	Sunday	October 25	12:00 p.m. – 5:00 p.m.
	Monday – Friday	October 26-30	8:00 a.m. – 5:00 p.m.
Cornerstone Outreach	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
1111 N. Buchanan	Saturday	October 24	9:00 a.m. – 3:00 p.m.
Amarillo, Texas 79107	Sunday	October 25	12:00 p.m. – 5:00 p.m.
	Monday – Friday	October 26-30	8:00 a.m. – 5:00 p.m.
Early Voting Precinct 2	location to be determined		
Hillside Christian Church	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
NW, 600 Tascosa Road,	Saturday	October 24	9:00 a.m. – 3:00 p.m.
Amarillo, Texas 79124	Sunday	October 25	12:00 p.m. – 5:00 p.m.
	Monday – Friday	October 26-30	8:00 a.m. – 5:00 p.m.

Polling Place	Dates	Times	
Randall County			
Comanche Trail Church of Christ 2700 E 34 th Amarillo, Texas 79103	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
	Saturday	October 24	7:00 a.m. – 7:00 p.m.
	Monday – Thursday	October 26-29	8:00 a.m. – 5:00 p.m.
	Friday	October 30	7:00 a.m. – 7:00 p.m.
Randall County Annex 4320 S. Western Amarillo, Texas 79110	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
	Saturday	October 24	7:00 a.m. – 7:00 p.m.
	Sunday	October 25	12:00 p.m. – 5:00 p.m.
	Monday – Friday	October 26-30	7:00 a.m. – 7:00 p.m.
Randall County Justice Center 2309 Russell Long Blvd. Canyon, Texas 79015	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
	Saturday	October 24	7:00 a.m. – 7:00 p.m.
	Monday – Thursday	October 26-29	8:00 a.m. – 5:00 p.m.
	Friday	October 30	7:00 a.m. – 7:00 p.m.
Region 16 Education Service Center 5800 Bell Street Amarillo, Texas 79109	Tuesday – Friday	October 13-23	8:00 a.m. – 5:00 p.m.
	Saturday	October 24	7:00 a.m. – 7:00 p.m.
	Sunday	October 25	12:00 p.m. – 5:00 p.m.
	Monday – Friday	October 26-30	7:00 a.m. – 7:00 p.m.

Early Voting by Mail

Potter County, Texas

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

Melynn Huntley
P.O. Box 9618
Amarillo, Texas 79105
phone: (806) 379-2299
fax: (806) 379-2249
email: vote@mypottercounty.com

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.

Randall County, Texas

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

Shannon Lackey
1604 5th Avenue
Canyon, Texas 79015
phone: (806) 468-5510
fax: (806) 468-5634
email: electionadmin@randallcounty.com

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.

Exhibit C
VOTER INFORMATION DOCUMENT

Amarillo City, Texas Proposition A:

<input type="checkbox"/> FOR (a favor) <input type="checkbox"/> AGAINST (en contra)	“THE ISSUANCE OF \$275,000,000 GENERAL OBLIGATION BONDS FOR CONVENTION CENTER FACILITIES EXPANSION AND IMPROVEMENT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.”
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principal of debt obligations to be authorized	\$275,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 2.95%	\$143,607,394
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years	\$418,607,394
as of the date the election was ordered, principal of all outstanding debt obligations	\$149,447,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$37,092,466
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 30 years	\$186,539,466.88
estimated maximum annual increase in the amount of taxes on a residence homestead with a taxable value of \$100,000 to repay the debt obligations to be authorized, if approved This figure assumes the amortization of the City’s debt obligations, including outstanding debt obligations and the proposed debt obligation; changes in estimated future appraised values within the City; and the assumed interest rate on the proposed debt obligations.	\$122.84

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