

ORDINANCE NO.

AN ORDINANCE ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF AUSTIN ON NOVEMBER 8, 2016, FOR THE PURPOSE OF ELECTING CITY COUNCIL MEMBERS FOR DISTRICT 2, DISTRICT 4, DISTRICT 6, DISTRICT 7, AND DISTRICT 10; ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR TRANSPORTATION AND MOBILITY; PROVIDING FOR THE CONDUCT OF THE ELECTION; AUTHORIZING THE CITY CLERK TO ENTER INTO JOINT ELECTION AGREEMENTS WITH OTHER LOCAL POLITICAL SUBDIVISIONS; AND DECLARING AN EMERGENCY.

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

PART 1. A general municipal election shall be held in the City of Austin on November 8, 2016 to elect City Council Members for District 2, District 4, District 6, District 7, and District 10.

PART 2. A special election shall be held in the City of Austin on November 8, 2016 to consider the issuance of general obligation bonds for transportation and mobility. The Council establishes that the following bond proposition (the "Proposition") shall be presented to the voters at the special election:

PROPOSITION

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, engineering, constructing, reconstructing, renovating and improving roads, streets, sidewalks, bridges, bikeways, and other bicycle and pedestrian mobility infrastructure; improving traffic signal synchronization and control systems; acquiring and installing traffic signals; planning, designing, engineering, constructing, reconstructing, renovating and improving drainage facilities related to these improvements; acquiring land and interests in land and property necessary for these improvements; and all matters necessary or incidental thereto, with respect to:

(i) \$101,000,000 for Regional Mobility Projects to address congestion and enhance safety, including improvements to Loop 360 corridor, Spicewood Springs Road, Oak Hill Parkway, Anderson Mill Road, intersection of RM 620 and RM 2222, and Parmer Lane;

(ii) \$482,000,000 for Corridor Improvement Projects, including (a) implementation of corridor plans for North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/969, South Lamar Boulevard, East Riverside Drive, and Guadalupe Street; (b) implementation of a South Austin corridor; and (c) preliminary engineering and design for additional critical arterials and corridors; and

(iii) \$137,000,000 for Local Mobility Projects, including (a) \$85,000,000 for implementation of the Sidewalk and Urban Trails Master Plans and Safe Routes to School; (b) \$20,000,000 for implementation of the Bicycle Master Plan; (c) \$15,000,000 for implementation of the Vision Zero Master Plan; and (d) \$17,000,000 for sub-standard streets/capital renewal;

and in providing for the above public improvements, the City Council shall have the option to utilize other funds available for such purposes and, after making due provision for the improvements listed above, the City Council may, in its discretion, use any excess funds for other transportation and mobility purposes, to wit: planning, designing, engineering, constructing, reconstructing, renovating and improving roads, streets, sidewalks, bridges, bikeways, and other bicycle and pedestrian mobility infrastructure; improving traffic signal synchronization and control systems; acquiring and installing traffic signals; planning, designing, engineering, constructing, reconstructing, renovating and improving drainage facilities related to these improvements; acquiring land and interests in land and property necessary for these improvements; 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 \$720,000,000, 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 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 3. 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:

PROPOSITION

The issuance of \$720,000,000 transportation and mobility improvement bonds and notes for improvements to Loop 360 corridor, Spicewood Springs Road, Oak Hill Parkway, Anderson Mill Road, intersection of RM 620 and RM 2222, Parmer Lane, North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Boulevard/969, South Lamar Boulevard, East Riverside Drive, and Guadalupe Street; implementation of a South Austin corridor, Safe Routes to School, and other local mobility projects; and the levy of a tax sufficient to pay for the bonds and notes.

PART 4. Pursuant to Section 3.009, Texas Election Code: (i) the Proposition language that will appear on the ballot is set forth in Part 3, (ii) the purposes for which the bonds and notes are to be authorized are set forth in Part 2, (iii) the principal amount of bonds and notes to be authorized is set forth in Part 2, (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 2, (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 (not to exceed 15%), 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 1,302,730,000, and the aggregate amount of outstanding interest on the City’s debt obligations was \$485,909,029.50, and (vii) the City’s ad valorem debt service tax rate as of the date of adoption of this ordinance is \$0.1062 per \$100 of taxable property.

Based upon market conditions as of the date of this ordinance, the maximum net effective interest rate for any series of the bonds and notes is estimated to be 6.00%. 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 and notes, or any series thereof, may be sold. In addition, the estimate contained in this paragraph is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds and notes), (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 Proposition submitted herein.

PART 5. The precincts and locations of the election day polling places; the dates, hours, and locations of the early voting places; and the names of the officers appointed to conduct the election are provided in Exhibits A-G attached and incorporated as a part of this ordinance.

PART 6. 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 7. (i) Notice of the elections shall be given by posting and publishing a copy of this ordinance in both English and Spanish. 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 posting at City Hall shall be accompanied by a cover page, at the top of which shall appear the words "NOTICE OF A MUNICIPAL GENERAL AND SPECIAL ELECTION, NOVEMBER 8, 2016." Notice of the elections shall be published, not earlier than the 30th day before the date of the elections, 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 elections.

(ii) 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.

(iii) This ordinance shall be posted on the City's website, in both English and Spanish, during the 21 days before the elections.

PART 8. In accordance with Chapter 271 of the Texas Election Code, the November 8, 2016 municipal elections 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 9. 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

_____, 2016 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

Exhibits A – G to be updated

Exhibit A: Ordinance No. _____

Exhibit B: Election Day Polling Places

Exhibit C: Election Day Presiding Judges and Alternate Judges

Exhibit D: Early Voting Polling Places

Exhibit E: Central Counting Station Staff

Exhibit F: Early Voting Ballot Board

Exhibit G: Joint Election Agreements