

ORDINANCE NO. 1272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STAFFORD, TEXAS, CALLING A SCHOOL BUILDING BOND ELECTION FOR THE STAFFORD MUNICIPAL SCHOOL DISTRICT; MAKING PROVISIONS FOR THE CONDUCT AND THE GIVING OF NOTICE OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATED THERETO

STATE OF TEXAS §
COUNTIES OF FORT BEND AND HARRIS §
CITY OF STAFFORD §

WHEREAS, the City Council (the “Council”) of the City of Stafford, Texas (the “City”) has received a Resolution Requesting School Building Bond Election from the Board of Trustees of the Stafford Municipal School District (the “District”); and

WHEREAS, the Council of the City of Stafford, Texas (the “City”) is authorized and has determined to call an election to submit propositions to voters in the District to determine whether the District shall be authorized to issue bonds in the amounts and for the purposes hereinafter set forth; and

WHEREAS, the City will enter into one or more Election Agreements (collectively, the “Election Agreement”) with Fort Bend County, Texas (the “County”), by and through the county election administrator (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 Council hereby finds and determines that the projects, purposes and improvements to be financed by bonds issued pursuant to Proposition A may be submitted to voters as a single measure pursuant to Section 45.003(g), Texas Education Code, because the projects, purposes and improvements (i) will be predominately used to provide and administer required curriculum and curricular activities and (ii) will not include facilities described in Section 45.003(g)(1)-(6), Texas Education Code;

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 STAFFORD, 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; Propositions. An election (the “Election”) shall be held for and within the District on Saturday, May 4, 2024 (“Election Day”), which is seventy-eight

(78) or more days from the date of the adoption of this Ordinance, within and throughout the territory of the District, in accordance with the Texas Election Code (the "Code") and other applicable law. At the Election, the following propositions (the "Propositions") shall be submitted to the qualified voters of the District in accordance with law:

STAFFORD MUNICIPAL SCHOOL DISTRICT - PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$45,000,000 FOR THE CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, THE PURCHASE OF NEW SCHOOL BUSES AND THE RETROFITTING OF SCHOOL BUSES WITH EMERGENCY, SAFTETY AND SECURITY EQUIPMENT, WHICH BONDS SHALL BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE, MATURE SERIALY OR OTHERWISE NOT MORE THAN 40 YEARS FROM THEIR DATE, AND BEAR INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE AND PLEDGE, AND CAUSE TO BE ASSESSED AND COLLECTED, ANNUAL AD VALOREM TAXES ON ALL TAXABLE PROPERTY IN THE DISTRICT SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, AND THE COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

STAFFORD MUNICIPAL SCHOOL DISTRICT - PROPOSITION B

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$15,000,000 SCHOOL BUILDING BONDS FOR THE DESIGN, CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND

STAFFORD MUNICIPAL SCHOOL DISTRICT – PROPOSITION B

[] FOR) THE ISSUANCE OF \$15,000,000 SCHOOL BUILDING
) BONDS FOR THE DESIGN, CONSTRUCTION,
) ACQUISITION, REHABILITATION, RENOVATION,
) EXPANSION, IMPROVEMENT AND UPGRADING OF
) NEW TECHNOLOGY SYSTEMS, TECHNOLOGY
) INFRASTRUCTURE AND INSTRUCTIONAL
) TECHNOLOGY, AND LEVYING AND IMPOSITION OF
[] AGAINST) TAXES SUFFICIENT TO PAY THE PRINCIPAL OF
) AND INTEREST ON THE BONDS AND THE COSTS OF
) ANY CREDIT AGREEMENTS. THIS IS A PROPERTY
) TAX INCREASE.

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

Section 5. Voting. Except as otherwise provided herein, the boundaries and territories of the respective County election precincts that are wholly or partially within the territorial boundaries of the District are hereby designated as the voting precincts of the District for the Election and the precinct numbers for the District’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. 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:

Administrator: John W. Oldham
Official Mailing Address: 301 Jackson St. Richmond, Texas 77469
Physical Address: 4520 Reading Road, Ste. A-400 Rosenberg, Texas 77471
E-mail Address: John.oldham@fortbendcountytexas.gov (general)
vote@fortbendcountytexas.gov (ballots by mail)
Phone Number: (281) 341-8670
Fax Number: (281) 341-4418
Website Address: <https://www.fortbendcountytexas.gov/government/departments/elections-voter-registration>

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 the Mayor 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 each Proposition in the form attached hereto as **Exhibit C** is hereby approved, together with such revisions as may be approved by the Mayor, and shall be posted in accordance with law. To the extent required by law, each notice of the Election shall include the District's internet website address, which is: <https://www.staffordmsd.org/>.

Section 9. Multilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in English, Spanish, Vietnamese and Chinese (Mandarin) and persons capable of acting as translators in Spanish, Vietnamese and Chinese shall be made available to assist Spanish, Vietnamese and Chinese (Mandarin) 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 Mayor or the Administrator, in accordance with the Election Agreement, the Code and the Constitution and laws of the State and the United States of America. The Mayor or his or her designee 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 each of the City Council or the Mayor or his or her designee 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.

Section 11. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his or her responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the City Council in accordance with the Election Code. The City Council shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds described in such Proposition shall be authorized in the maximum amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the City Council to be in the District's best interest.

Section 12. 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 13. 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 forty (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 District's debt obligations is \$94,095,000, and the aggregate amount of outstanding interest on the District's debt obligations is \$51,353,686 and (vii) the District's ad valorem debt service tax rate as of the date of adoption of this Ordinance is \$0.215224 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 5.50%. 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 Propositions submitted by this Ordinance.

Section 14. 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 15. Effective Date. Pursuant to the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

[Signature page follows.]

EXHIBIT A

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

[to be provided by the County]

EXHIBIT B

EARLY VOTING POLLING LOCATIONS AND TIMES

[to be provided by the County]

EXHIBIT C

VOTER INFORMATION DOCUMENT

STAFFORD MUNICIPAL SCHOOL DISTRICT - PROPOSITION A

[] FOR) THE ISSUANCE OF \$45,000,000 SCHOOL BUILDING
) BONDS FOR THE CONSTRUCTION, ACQUISITION,
) REHABILITATION, RENOVATION, EXPANSION,
) IMPROVEMENT AND EQUIPMENT OF SCHOOL
) BUILDINGS IN THE DISTRICT, THE PURCHASE OF
) THE NECESSARY SITES FOR SCHOOL BUILDINGS,
) THE PURCHASE OF NEW SCHOOL BUSES AND THE
) RETROFITTING OF SCHOOL BUSES WITH
 [] AGAINST) EMERGENCY, SAFTETY AND SECURITY
) EQUIPMENT, AND LEVYING AND IMPOSITION OF
) TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND
) INTEREST ON THE BONDS AND THE COSTS OF ANY
) CREDIT AGREEMENTS. THIS IS A PROPERTY TAX
) INCREASE.

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 District*	\$_____
6. Estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the District*	\$_____
7. Estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District 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 District	\$_____
8. Other information that the District considers relevant or necessary to explain the foregoing information	See major assumptions listed below.

* As of the date of adoption of the City’s Bond Election Ordinance (as defined below).

Major assumptions for statements above, including statement 7:

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

Term	Principal	Interest	Total Proposed Debt Service	Total Proposed Debt Service + Existing Debt Service
__ Years	\$_____	\$_____	\$_____	\$_____

(2) Assumed changes in estimated future appraised values within the District: Assumes [annual growth of ___% for the first three years, ___% for the following two years and then ___% thereafter].

(3) Assumed interest rate on the debt obligations to be issued: ___%.

(4) Assumes a tax collection rate of __. __%.

(5) Assumes state-mandated homestead exemption. Assumes that the District will [maintain any existing] optional homestead or other property tax exemptions.

(6) 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.

(7) 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.

(8) Assumes Permanent School Fund Guarantee of 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 Stafford Municipal School District; Making Provisions for the Conduct and the Giving of Notice of the Election; and Containing Other Provisions Related Thereto (the “Bond Election Ordinance”). In addition to the Proposition, one or more other propositions will be submitted to voters pursuant to the Bond Election Ordinance (collectively, the Proposition and the other proposition(s) being referred to herein as the “Propositions”). The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the debt obligations to be authorized pursuant to the Propositions, if all Propositions are approved, based upon the assumptions made by the governing body of the District in each of the respective voter information documents prepared for each of the Propositions, is \$_____.

(9) Numbers in (1) above only include the Proposition described above and existing debt. Please see the Voter Information Documents for the other Proposition(s) for its/their respective details.

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 District'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 District to issue bonds in accordance with the Propositions submitted by the City's Bond Election Ordinance.

VOTER INFORMATION DOCUMENT

STAFFORD MUNICIPAL SCHOOL DISTRICT - PROPOSITION B

[] FOR) THE ISSUANCE OF \$15,000,000 SCHOOL BUILDING
) BONDS FOR THE DESIGN, CONSTRUCTION,
) ACQUISITION, REHABILITATION, RENOVATION,
) EXPANSION, IMPROVEMENT AND UPGRADING OF
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) INTEREST ON THE BONDS AND THE COSTS OF ANY
) CREDIT AGREEMENTS. THIS IS A PROPERTY TAX
) INCREASE.

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 District*	\$ _____
5. Estimated remaining interest on all outstanding debt obligations of the District*	\$ _____
6. Estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the District*	\$ _____
7. Estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District 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 District	\$ _____
8. Other information that the District considers relevant or necessary to explain the foregoing information	See major assumptions listed below.

* As of the date of adoption of the City’s Bond Election Ordinance (as defined below).

Major assumptions for statements above, including statement 7:

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

Term	Principal	Interest	Total Proposed Debt Service	Total Proposed Debt Service +
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				Existing Debt Service
__ Years	\$_____	\$_____	\$_____	\$_____

(2) Assumed changes in estimated future appraised values within the District: Assumes [annual growth of ___% for the first three years, ___% for the following two years and then ___% thereafter].

(3) Assumed interest rate on the debt obligations to be issued: ___%.

(4) Assumes a tax collection rate of __. __%.

(5) Assumes state-mandated homestead exemption. Assumes that the District will [maintain any existing] optional homestead or other property tax exemptions.

(6) 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.

(7) 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.

(8) Assumes Permanent School Fund Guarantee of 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 Stafford Municipal School District; Making Provisions for the Conduct and the Giving of Notice of the Election; and Containing Other Provisions Related Thereto (the "Bond Election Ordinance"). In addition to the Proposition, one or more other propositions will be submitted to voters pursuant to the Bond Election Ordinance (collectively, the Proposition and the other proposition(s) being referred to herein as the "Propositions"). The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the debt obligations to be authorized pursuant to the Propositions, if all Propositions are approved, based upon the assumptions made by the governing body of the District in each of the respective voter information documents prepared for each of the Propositions, is \$_____.

(9) Numbers in (1) above only include the Proposition described above and existing debt. Please see the Voter Information Documents for the other Proposition(s) for its/their respective details.

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 District'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 District to issue bonds in accordance with the Propositions submitted by the City's Bond Election Ordinance.