

**ORDINANCE NO. 2019-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DECLARING THE CANVASS AND RESULTS OF AN ELECTION HELD ON THE MAY 4, 2019 TO SUBMIT FOUR (4) PROPOSITIONS TO THE REGISTERED VOTERS OF THE CITY OF NEW BRAUNFELS, TEXAS, REGARDING THE ISSUANCE OF GENERAL OBLIGATION BONDS BY THE CITY; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

I

Came on this the 13<sup>th</sup> day of May, 2019, the 9<sup>th</sup> day after the Special City Election, in compliance with the Texas Election Code, customary to be canvassed, the returns of the Special Election held on the 4<sup>th</sup> day of May, 2019, at which election there were submitted to the qualified voters of the City of New Braunfels, Texas, four (4) propositions regarding the issuance of general obligation bonds by the city, as set out in the election notices published in the New Braunfels Herald-Zeitung, a newspaper of general circulation in said City, as required by law, reference to said proposition being here made for all purposes, and the City Council of the City of New Braunfels, Texas, having met to canvass the returns and to declare the results of said election in the manner provided by law, and after considering, determining and canvassing all matters of facts, including votes, appertaining, we, the Mayor and Council Members of the City of New Braunfels, Texas, do hereby find and declare the results of said Special Election to be tabulated as follows:

**Special Election**

Proposition 1:

The issuance of \$44,512,490 of tax bonds by the City of New Braunfels, Texas, for the construction, acquisition, improvement, and upgrading of streets to include Klein Road, Goodwin Lane, Conrads Lane, the extensions of FM 306 and Business 81 and a citywide streets improvement program and levying the tax in payment thereof.

**FOR 2,818                      AGAINST 513**

Proposition 2:

The issuance of \$16,547,420 of tax bonds for park and recreational facilities and projects to include the sports field complex, Comal Cemetery wall stabilization and improvements, and all abilities park amenities and

levying the tax in payment thereof.

**FOR** 2,330                      **AGAINST** 985

Proposition 3:

The issuance of \$50,414,750 of tax bonds for public safety facilities and projects to include two new fire stations and a new police department and levying the tax in payment thereof.

**FOR** 2,754                      **AGAINST** 578

Proposition 4:

The issuance of \$5,525,340 of tax bonds for city library facilities and projects to include the New Braunfels Public Library – Westside Community Center Branch and levying the tax in payment thereof.

**FOR** 2,470                      **AGAINST** 857

**II**

And it appearing to the City Council of the City of New Braunfels, Texas, that the propositions regarding the issuance of general obligation bonds by the city, were submitted at said election and that the returns thereof were made, all as required by the Charter of the City of New Braunfels, Texas, and the laws of the State of Texas, by order of the City Council and the law for such cases made and provided, and that at said Special Election there were cast respectively for and against the said proposal the aggregate number of votes as shown by the above.

**III**

And the Mayor and the Councilmembers of the City of New Braunfels, Texas, having first canvassed said returns and having found the same in all things correct, the same was thereupon adopted by majority vote of the City Council.

**IV**

If any part or parts of this ordinance shall be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the constitutionality or validity of the remaining parts of this ordinance. The City Council hereby declares that it would have passed the remaining parts of this ordinance, if it had known that

such part or parts, thereof, would have been declared unconstitutional or invalid, and further declares that such remaining parts shall remain in full force and effect; and, that the provisions hereof are severable.

**V**

It is further ordained that in view of the fact that it is for the best interest of the citizens of the City of New Braunfels, and one which requires immediate declaration and canvass and result of said Special Election thereby creating an imperative public necessity that the rule requiring ordinances to be read at two regular meetings of the City Council be suspended, the same is hereby suspended, and this ordinance shall take effect and be in full force from and after its passage as an emergency ordinance as made and provided by the Charter.

PASSED AND APPROVED this the 13<sup>th</sup> day of May, 2019.

CITY OF NEW BRAUNFELS, TEXAS

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BARRON CASTEEL, Mayor

ATTEST:

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PATRICK ATEN, City Secretary

APPROVED AS TO FORM:

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VALERIA M. ACEVEDO, City Attorney