

CERTIFICATE FOR ORDINANCE

**THE STATE OF TEXAS
COUNTY OF HUNT
CITY OF COMMERCE**

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We, the undersigned officers of said City, hereby certify as follows:

1. The City Council of said City convened in REGULAR MEETING ON THE 5TH DAY OF FEBRUARY, 2008, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Sheryl Zelhart, Mayor
John Sands, Mayor Pro Tem
Billie Biggerstaff
Richard Hill
Tony Henry

Marty Cunningham, City Secretary

and all of said persons were present, except the following absentees: John Sands, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

ORDINANCE NO. 08-03 CALLING A BOND ELECTION FOR MAY 10, 2008

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be adopted and, after due discussion, said motion, carrying with it the adoption of said Ordinance, prevailed with all members of the Council shown above as being present voting "Aye," except as set forth below:

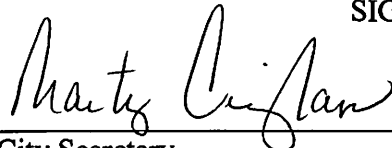
ABSTAIN: _____

NO: _____

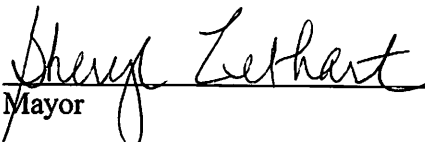
2. A true, full and correct copy of the aforesaid Ordinance adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Ordinance has been duly recorded in said City Council's minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Ordinance; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; said Meeting was open to the public; and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. The Mayor of said City has approved and hereby approves the aforesaid Ordinance; and the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED the 5th day of February, 2008.



City Secretary



Mayor

ORDINANCE NO. 08-03 CALLING A BOND ELECTION FOR MAY 10, 2008

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WHEREAS, this City Council of the City of Commerce, Texas, deems it advisable to call the election hereinafter ordered; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code; Now, therefore

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

1. An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on May 10, 2008, in the City of Commerce, Texas (the "City"), at the following designated polling place:

Commerce City Hall
1119 Alamo Street
Commerce, Texas 75428

The City shall constitute a single election precinct for the election, and all resident, qualified electors of the City shall be entitled to vote at the election.

2. Early voting shall be conducted by personal appearance and by mail at the Commerce City Hall, 1119 Alamo Street, Commerce, Texas 75428, and during the period early voting is required or permitted by law, being April 28, 2008 through May 6, 2008, the hours designated for early voting by personal appearance shall be from 8:15 A.M. to 4:45 P.M. on each day except April 30, 2008 and May 1, 2008, when voting will be conducted from 7:00 A.M. to 7:00 P.M., and except on Saturdays, Sundays and legal state holidays, when no early voting will be conducted; and the early voting clerk shall keep the early voting place open during such hours for early voting by personal appearance. The early voting clerk for the election shall be Marty Cunningham, and the deputy early voting clerks shall be Becky Pattillo and Bonnie Hunter.

3. An early ballot board is hereby created to process early voting results, and Almina Cook is hereby appointed the presiding judge of said board. The presiding judge shall appoint at least two other members of the board. Election officials for election day voting shall be appointed by the City Council, and such officials will include a Presiding Judge, who shall appoint not less than two qualified election clerks to serve and assist in conducting the election.

4. A substantial copy of this Ordinance shall serve as proper notice of the Election, which notice shall be given by posting substantial copies of this Ordinance in both English and Spanish on the bulletin board at the City Hall of the City used for the posting of notices of meetings of the City Council of the City and at three (3) other public places within the City not later than the twenty-first (21st) day prior to the date upon which the election is to be held; and substantial copies of this Ordinance in both English and Spanish shall be published on the same day in each of two (2)

successive weeks in a newspaper of general circulation in the City, the date of the first publication to be not less than fourteen (14) days nor more than thirty (30) days prior to the date of the election.

5. At the election the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

Shall the City Council of the City of Commerce, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of \$ 3,000,000, with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, improving, extending, expanding, upgrading and developing streets and roads in the City, related water and sewer line replacement, drainage and other related costs; and shall the City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on the bonds and provide a sinking fund to pay the bonds at maturity?

6. The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

FOR	_____	)	
		)	THE ISSUANCE OF \$ <u>3,000,000</u> OF TAX BONDS FOR
AGAINST	_____	)	STREET IMPROVEMENTS.
		)	

7. In all respects said election shall be conducted in accordance with the Texas Election Code. Pursuant to the federal Help America Vote Act and the Texas Election Code, each polling place shall be provided at least one voting system equipped for individuals with disabilities. Sufficient voting equipment to accommodate the voters shall be provided for early voting and at each of the polling places on election day.

8. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.
