

RESOLUTION NO. 19-09

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND, NEBRASKA, PURSUANT TO SECTION 17-950 OF THE NEBRASKA REVISED STATUTES, PROPOSING AND SUBMITTING TO VOTERS AT A SPECIAL ELECTION A PROPOSITION TO ISSUE BONDED INDEBTEDNESS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000) FOR THE PURPOSE OF CONSTRUCTING A SWIMMING POOL AND RELATED IMPROVEMENTS IN AND FOR THE CITY.

WHEREAS, the City of Friend, Nebraska (the "City"), is a city of the second class in the State of Nebraska; and

WHEREAS, pursuant to Neb. Rev. Stat. §§ 17-948 to 17-949, the City is authorized to acquire land and construct a swimming pool and related improvements in and for the City; and

WHEREAS, pursuant to Neb. Rev. Stat. § 17-950, the City is authorized to issue indebtedness in connection with the same upon approval of the qualified electors of the City; and

WHEREAS, the City desires to propose to the qualified electors of the City at a special election the issuance of indebtedness of the City of up to Three Million Dollars (\$3,000,000) for purposes of constructing a new swimming pool and related improvements in and for the City; and

WHEREAS, a proposed ballot question for such purpose is submitted with this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Friend, Nebraska, that all of the following actions are hereby adopted and approved:

Section 1. The Mayor and City Council hereby propose to construct a swimming pool in and for the City and to issue indebtedness of the City in a principal amount of up to Three Million Dollars (\$3,000,000).

Section 2. The indebtedness to be issued shall be paid from the proceeds of an increase in the City sales and use tax rate by an additional one-half of one percent ($\frac{1}{2}\%$) from one percent (1%) to one and one-half percent ($1\frac{1}{2}\%$) (if approved by the voters), and, to the extent not paid from such additional tax, from an ad valorem tax on all the taxable property in the City.

Section 3. In accordance with Neb. Rev. Stat. §32-405, the special election shall be held on November 12, 2019, which is the first Tuesday following the second Monday in the month of November 2019. The election shall be held in such manner as shall be determined by the Saline County Clerk pursuant to Neb. Rev. Stat. §32-405.

Section 4. The question, in form and content presented with this Resolution as Exhibit A--OFFICIAL BALLOT - CITY OF FRIEND, NEBRASKA - PROPOSAL TO ISSUE

SWIMMING POOL BONDS and incorporated herein by this reference, is hereby approved and shall appear on the ballot for qualified electors of the City at the special election held on November 12, 2019, subject to any modifications the Mayor determines necessary or advisable.

Section 5. The City Clerk is authorized, directed, and ordered to submit said question by attesting to and submitting a certified copy of this Resolution to the Saline County Clerk in accordance with applicable law.

Section 6. The Mayor and City Clerk are hereby authorized and directed to take any other actions as necessary or appropriate to carry out the actions approved in this Resolution, including, without limitation, providing any notice required of the governing body or otherwise by applicable law.

Passed and adopted this 6th day of August, 2019.

Mayor

ATTEST:

City Clerk

EXHIBIT A

**OFFICIAL BALLOT
CITY OF FRIEND
PROPOSAL TO ISSUE SWIMMING POOL BONDS**

Shall the City of Friend, Nebraska, borrow money and pledge the property and credit of the City upon its negotiable bonds in the principal amount of not to exceed THREE MILLION AND NO/100 (\$3,000,000) for the purpose of constructing and equipping a new swimming pool and related improvements for the City on land currently owned by the City; said bonds to be dated and become due and payable, both principal and interest, on such date or dates as may be fixed by the Mayor and Council of the City at the time of their issuance and to bear interest at such rate or rates as shall be determined by the Mayor and Council of the City; and

Shall the City cause to be levied and collected annually, a special levy of taxes on the taxable value of all the taxable property in the City, and all other taxes, in an amount sufficient to pay the principal of and interest on said bonds, to the extent not paid from other sources, as such principal and interest become due?

Yes

No

A "Yes" Vote: If a majority of the votes cast upon such questions shall be in favor of issuing bonds, the City shall construct and equip a swimming pool and related improvements and shall issue bonds in the principal amount of up to \$3,000,000 to pay for construction of the swimming pool and related improvements. The funds for repayment of the bonds will come from the proceeds of an increase in the City sales and use tax rate by an additional one-half of one percent ($\frac{1}{2}\%$) from one percent (1%) to one and one-half percent ($1\frac{1}{2}\%$) (if approved by the voters at this special election), and, to the extent not paid from such sales and use tax, from an ad valorem tax on all the taxable property in the City.

A "No" Vote: If a majority of the votes cast upon such questions shall be against issuing bonds, the City shall not issue bonds to finance the construction of a swimming pool and related improvements. In such event, the swimming pool would not be constructed or would be constructed with funds from other sources and would not result in an ad valorem tax on all the taxable property in the City.