

ORDINANCE NO. 391

FILED

2024 AUG 13 AM 10:13
LEWALLEN
CLERK
STON CO. AR

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF GREENLAND, ARKANSAS ON THE QUESTION OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF PROVIDING PERMANENT FINANCING FOR THE COSTS OF SEWER IMPROVEMENTS BY REFUNDING THE CITY'S SEWER REVENUE BONDS, SERIES 2024A AND SERIES 2024B; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City of Greenland, Arkansas (the "City") has issued its Sewer Revenue Bonds, Series 2024A and Series 2024B in the aggregate principal amount of \$8,500,000 (the "Series 2024 Bonds") to finance betterments and improvements (the "Improvements") to the City's sewer system (the "System"); and

WHEREAS, the Series 2024 Bonds are secured by and payable from a sewer surcharge (the "Sewer Surcharge") paid by customers of the System; and

WHEREAS, the City Council of the City has determined that it would be in the best interest of the City and the customers of the System to provide permanent financing for the Improvements by refunding the Series 2024 Bonds (the "Refunding"); and

WHEREAS, the Refunding will allow the City to reduce the Sewer Surcharge; and

WHEREAS, the City can accomplish the Refunding by the issuance of capital improvement bonds (the "Bonds") in the maximum aggregate principal amount of \$8,500,000 under the authority of Amendment No. 62 to the Constitution of the State of Arkansas ("Amendment 62") and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"); and

WHEREAS, the City can pay the principal of and interest on the Bonds from (a) collections of a new city-wide one and one-half of one percent (1.5%) sales and use tax, levied under Ordinance No. 389, if such tax is approved by the voters (the "Sales and Use Tax") and (b) if collections of the Sales and Use Tax are insufficient to pay the principal of and interest on the Bonds, the Sewer Surcharge; and

WHEREAS, the purpose of this Ordinance is to submit to the electors of the City the question of issuing the Bonds under Amendment 62 and the Authorizing Legislation at a special election to be called for that purpose;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenland, Arkansas:

Section 1. There is hereby called a special election to be held on November 5, 2024, at which election there shall be submitted to the electors of the City, the question of issuing the Bonds under Amendment 62 and the Authorizing Legislation in the aggregate principal amount of not to exceed \$8,500,000 to be secured as described above.

Section 2. The question of issuing the Bonds shall be placed on the ballot for the election in substantially the following form:

SEWER IMPROVEMENT BONDS

Bonds of the City of Greenland in the maximum aggregate principal amount of \$8,500,000 to provide permanent financing for all or a portion of the costs of betterments and improvements to the City's sewer system (the "System") by refunding the City's outstanding Sewer Revenue Bonds, Series 2024A and Series 2024B (the "Series 2024 Bonds") and, in order to pay the bonds, the pledge of (a) the net collections of a new City-wide one and one-half of one percent (1.5%) sales and use tax levied under Ordinance No. 389 if separately approved by the voters (the "Tax") and (b) if collections of the Tax are insufficient to pay the bonds, a sewer surcharge (the "Sewer Surcharge") paid by customers of the System. Any collections of the Tax not used for payment of the bonds will be used by the City for other lawful purposes.

If the Bonds are approved and issued, the refunding of the Series 2024 Bonds will allow the City to reduce the Sewer Surcharge.

FOR.....

AGAINST.....

Section 3. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the City shall have the right to vote at the election.

Section 4. The results of the election shall be proclaimed by the Mayor, and the Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

Section 5. A copy of this Ordinance shall be (a) filed with the Washington County Clerk at least 70 days prior to the election date and (b) given to the Washington County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

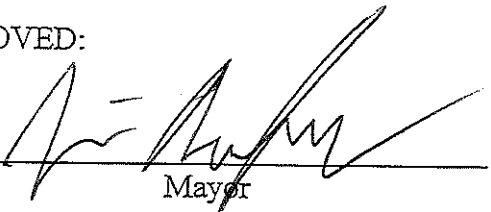
Section 6. The Mayor and City Recorder, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Section 7. The provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 8. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: August 13, 2024.

APPROVED:



Mayor

ATTEST:



City Recorder



CERTIFICATE

The undersigned, City Recorder of the City of Greenland, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 391, passed at a regular session of the City Council of the City of Greenland, Arkansas, held at the regular meeting place of the City Council at 6 o'clock p.m., on the 18th day of August, 2024, and that the Ordinance is of record in Ordinance Record Book No. , Page 19, now in my possession.

GIVEN under my hand and seal this 13th day of August, 2024.

Y. M. McCord
City Recorder

