

“WARNING”

“It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign such petition when he is not a legal voter.”

FILED
CITY OF EDMOND, OK
CITY CLERK'S OFFICE

PETITION FOR REFERENDUM

DATE

4/11/23

To the Honorable Darrell Davis, Mayor, City of Edmond:

We, the undersigned legal voters of the City of Edmond, Oklahoma (collectively, “Signatories”) respectfully order that the certain resolution of the Edmond City Council identified below shall be referred to the people of the City of Edmond, Oklahoma, for their approval or rejection at the regular (or special) election to be held on the _____ day of _____, 2023, and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma and the City of Edmond, Oklahoma; my residence or post office address are correctly written after my name. The time for filing this petition expires sixty (60) days from March 13, 2023.

Juliana Miller
CITY CLERK

The question we herewith submit to our fellow voters is: Shall the following Resolution be approved?

RESOLUTION NO. 4-23

SECTION 1. INDEBTEDNESS AUTHORIZED. The Edmond Public Works Authority (the “Authority”) is authorized to incur an indebtedness by the issuance of its Sales Tax Revenue Note, Taxable Series 2023B for and on behalf of The City of Edmond, Oklahoma (the “City”), in an aggregate principal amount of \$34,000,000.00, in one or more series or subseries (collectively, the “2023B Note”), it being the express intent hereof that any designations herein are merely for convenience and the said notes may be named and divided by series as deemed appropriate by Authority, for the purpose of providing funds to (i) finance the Project; and (ii) pay certain costs associated with the issuance of the 2023B Note. The 2023B Note shall bear interest at the rate of _____% per annum. The principal installments on the 2023B Note shall be paid as set forth on Exhibit “A” hereto.

SECTION 2. COMPETITIVE BIDDING WAIVED. Competitive bidding on the sale of said Note is waived and the 2023B Note is authorized to be sold to _____, _____ (referred to herein as the “Purchaser”), at a price of par.

SECTION 3. SALES TAX AGREEMENT. The Authority hereby ratifies and confirms that certain Sales Tax Agreement dated as of December 1, 2016, by and between the City and the Authority (the “Sales Tax Agreement”), which Sales Tax Agreement pertains to a year-to-year pledge of certain sales tax revenue as security for the 2023B Note.

SECTION 4. SUPPLEMENTAL NOTE INDENTURE. The Series 2023B Supplemental Note Indenture, as it supplements and amends that certain Note Indenture dated as of July 1, 2013, as previously supplemented and amended by an Amendment to Note Indenture dated as of December 1, 2016, and as further supplemented and amended (collectively, the “Note Indenture”), all by and between the Authority and BOKF, NA, as Trustee, authorizing the issuance of and securing the payment of the 2023B Note approved in Section 1 hereof, is hereby approved and the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority are authorized and directed to execute and deliver same for and on behalf of the Authority.

SECTION 5. ORGANIZATIONAL DOCUMENT SUBJECT TO THE NOTE INDENTURE. The organizational document creating the Authority is subject to the provisions of the Note Indenture referenced in Section 4 hereof.

SECTION 6. EXECUTION OF NECESSARY DOCUMENTS. The Chairman or Vice-Chairman and Secretary or Assistant Secretary of the Authority are hereby authorized and directed on behalf of the Authority to execute and deliver the 2023B Note to the Purchaser upon receipt of the purchase price and are further authorized and directed to execute all necessary documentation and closing and delivery papers required by Bond Counsel and the Financial Advisor including, but not limited to, the 2023B Note forms, closing certificates, continuing disclosure or other security or securities-related documents, scope of services agreements for professional services associated with issuance of the 2023B Note, disbursement orders, or any other letter, representation or certification otherwise necessary and attendant to the issuance and delivery of the 2023B Note; approve the disbursement of the proceeds of the 2023B Note, including any costs of issuance; to approve and make any changes to the documents approved by this Resolution, for and on behalf of the Authority, the execution and delivery of such documents being conclusive as to the approval of any changes contained therein by the Authority; and to execute, record and file any and all the necessary financing statements and security instruments, including but not limited to the documents approved hereby, and to consummate the transaction contemplated hereby.

SUGGESTED BALLOT TITLE

SHALL RESOLUTION NO. 4-23, CALLING FOR THE EDMOND PUBLIC WORKS AUTHORITY (“AUTHORITY”) TO INCUR INDEBTEDNESS OF \$34,000,000.00, THROUGH THE ISSUANCE OF A PROMISSORY NOTE (THE “2023B NOTE”) IN THE PRINCIPAL AMOUNT OF \$34,000,000.00, WITH WAIVER OF COMPETITIVE BIDDING, AND RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BETWEEN THE AUTHORITY AND THE CITY OF EDMOND FOR A YEAR-TO-YEAR PLEDGE OF SALES TAX REVENUE TO SECURE THE 2023B NOTE BE APPROVED?

SHALL THE PROPOSED ORDINANCE BE APPROVED?

___ YES - For the proposition

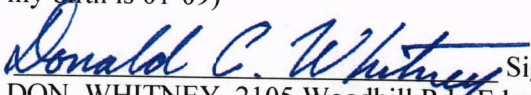
___ NO - Against the proposition

Name, Address, Signature, and required data points of Proponents:



Signed this 10th day of April, 2023.

BRIAN T. SHELLEM, 1200 Timberlake Ave., Edmond, OK, 73034. (the numerical month and day of my birth is 01-09)



Signed this 10th day of April, 2023.

DON WHITNEY, 2105 Woodhill Rd., Edmond, OK 73025 (the numerical month and day of my birth is 06-19)

SIGNATURES

The "GIST" of the proposition is as follows:

SHALL THE CITY OF EDMOND'S RESOLUTION NO. 4-23, WHICH CALLS FOR \$34,000,000.00 IN NEW INDEBTEDNESS OF THE EDMOND PUBLIC WORKS AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW CITY HALL, TO BE SECURED BY THE CITY'S PLEDGE OF SALES TAX REVENUES, BE APPROVED?

A "YES" is a vote in favor of this Resolution. A "NO" vote is a vote against this Resolution.

1. _____ Edmond OK _____
Signature of Legal Voter Residence City ZIP Birth Month-Day
2. _____ Edmond OK _____
Signature of Legal Voter Residence City ZIP Birth Month-Day
3. _____ Edmond OK _____
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14. _____ Edmond OK _____
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15. _____ Edmond OK _____

	Signature of Legal Voter	Residence	City	ZIP	Birth Month-Day
16.	_____	_____	Edmond	OK	_____
	Signature of Legal Voter	Residence	City	ZIP	Birth Month-Day
17.	_____	_____	Edmond	OK	_____
	Signature of Legal Voter	Residence	City	ZIP	Birth Month-Day
18.	_____	_____	Edmond	OK	_____
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19.	_____	_____	Edmond	OK	_____
	Signature of Legal Voter	Residence	City	ZIP	Birth Month-Day
20.	_____	_____	Edmond	OK	_____
	Signature of Legal Voter	Residence	City	ZIP	Birth Month-Day

AFFIDAVIT

STATE OF OKLAHOMA,)
) ss.
COUNTY OF OKLAHOMA)

I, _____, being first duly sworn say:

That I am a qualified elector of the State of Oklahoma and that

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

printed their name on this page of the foregoing petition, signed the foregoing petition, and each signed his name thereto in my presence. I believe that each has stated his name, post office address and/or residential address, and numerical day and month of birth correctly, and that each signer is a legal voter of the State of Oklahoma and of this municipality.

Circulator's Signature

Post Office Address

City

Zip Code

Subscribed and sworn to before me this _____ day of _____, 2023.

Notary Public

My Commission Expires: _____