

**“WARNING”**

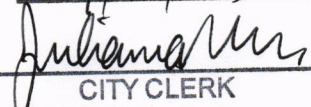
**“It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign such petition when he is not a legal voter.”**

**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:

  
CITY CLERK

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.

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

**RESOLUTION NO. 5-23**

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 2023C for and on behalf of The City of Edmond, Oklahoma (the “City”), in an aggregate principal amount of \$10,000,000.00, in one or more series or subseries (collectively, the “2023C 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 2023C Note. The 2023C Note shall bear interest at the rate of \_\_\_\_\_% per annum. The principal installments on the 2023C 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 2023C 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 2023C Note.

SECTION 4. SUPPLEMENTAL NOTE INDENTURE. The Series 2023C 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 2023C 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 2023C 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 2023C 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 2023C Note, disbursement orders, or any other letter, representation or certification otherwise necessary and attendant to the issuance and delivery of the 2023C Note; approve the disbursement of the proceeds of the 2023C 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. 5-23, CALLING FOR THE EDMOND PUBLIC WORKS AUTHORITY (“AUTHORITY”) TO INCUR INDEBTEDNESS OF \$10,000,000.00, THROUGH THE ISSUANCE OF A PROMISSORY NOTE (THE “2023C NOTE”) IN THE PRINCIPAL AMOUNT OF \$10,000,000.00, 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 2023C NOTE BE APPROVED?

SHALL THE PROPOSED ORDINANCE BE APPROVED?

\_\_\_ YES - For the proposition

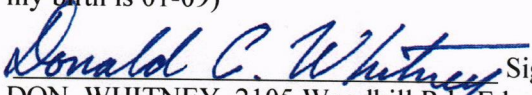
\_\_\_ NO - Against the proposition

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



Signed this 10<sup>th</sup> 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 10<sup>th</sup> 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. 5-23, WHICH CALLS FOR \$10,000,000.00 IN NEW INDEBTEDNESS OF THE EDMOND PUBLIC WORKS AUTHORITY TO FINANCE THE CONSTRUCTION OF A NEW PARKING GARAGE, 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 \_\_\_\_\_  
Signature of Legal Voter Residence City ZIP Birth Month-Day
4. \_\_\_\_\_ Edmond OK \_\_\_\_\_  
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5. \_\_\_\_\_ Edmond OK \_\_\_\_\_  
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13. \_\_\_\_\_ Edmond OK \_\_\_\_\_  
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14. \_\_\_\_\_ Edmond OK \_\_\_\_\_  
Signature of Legal Voter Residence City ZIP Birth Month-Day
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	_____
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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 <u>OKLAHOMA</u>	)

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: \_\_\_\_\_