

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF BROOKLAND, ARKANSAS ON THE QUESTIONS OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF FINANCING AND REFINANCING ALL OR A PORTION OF THE COSTS OF CAPITAL IMPROVEMENTS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Brookland, Arkansas (the "City") has determined that it would be in the best interest of the City to refund the City's outstanding Sales and Use Tax Refunding and Improvement Bonds, Series 2021 (the "Series 2021 Bonds"), which bonds financed and refinanced capital improvements for the City (the "Refunding"); and

WHEREAS, a portion of the proceeds of the Series 2021 Bonds were used to finance costs of park and recreational facilities and improvements, including particularly, without limitation, ball fields, any land acquisition therefor, and any furnishings, equipment, utility adjustments and lighting, street, parking, landscaping, signage and drainage improvements related thereto or in support thereof (collectively, the "Park and Recreational Improvements"); and

WHEREAS, a portion of the proceeds of the Series 2021 Bonds were used to finance costs of the acquisition and construction of a municipal building that will contain city offices and a police station, any land acquisition therefor, and any furnishings, equipment, utility adjustments and lighting, street, parking, landscaping, signage and drainage improvements related thereto or in support thereof (collectively, the "Municipal Building Improvements"); and

WHEREAS, due to inflation and construction and materials costs increases caused in part by the economic turmoil resulting from the COVID-19 pandemic, proceeds of the Series 2021 Bonds were not sufficient to complete the Park and Recreational Improvements and the Municipal Building Improvements; and

WHEREAS, the City Council has determined that the Park and Recreational Improvements and the Municipal Building Improvements should be completed; and

WHEREAS, the City Council has further determined that the City is in need of the following capital improvements (in addition to completion of the Park and Recreational Improvements and the Municipal Building Improvements):

- (1) acquiring, constructing, and equipping extensions, betterments and improvements to the City's sewer facilities (collectively, the "Sewer Improvements");
- (2) constructing and improving streets and roads, including particularly, without limitation, any paving, repair, curbing, gutter, sidewalks, signage and drainage improvements,

equipment and land acquisition and street lighting, utility improvements and adjustments and traffic signals related thereto or in support thereof (collectively, the "Street Improvements"); and

(3) acquiring, constructing, and equipping storm and emergency shelters, emergency alert sirens, and related facilities and apparatus, including particularly, without limitation, any signage, equipment and land acquisition, street lighting, and utility improvements or adjustments related thereto or in support thereof (collectively, the "Emergency Facilities Improvements"); and

WHEREAS, the City Council proposes to finance all or a portion of the costs of the Refunding, the completion of the Park and Recreational Improvements, the completion of the Municipal Building Improvements, the Sewer Improvements, the Street Improvements, and the Emergency Facilities Improvements by the issuance of capital improvement bonds (the "Bonds") 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 Code of 1987 Annotated (the "Authorizing Legislation") allocated as follows: (1) \$4,640,000 in maximum principal amount for the Refunding; (2) \$7,450,000 in maximum principal amount for the completion of Park and Recreational Improvements; (3) \$3,445,000 in maximum principal amount for the completion of Municipal Building Improvements; (4) \$3,385,000 in maximum principal amount for the Sewer Improvements; (5) \$7,910,000 in maximum principal amount for the Street Improvements; and (6) \$725,000 in maximum principal amount for the Emergency Facilities Improvements; and

WHEREAS, the City Council proposes to retire the Bonds with collections of a 2% sales and use tax levied within the City by Ordinance No. 2015-25, adopted August 31, 2015, as amended by Ordinance No. 2021-03, adopted March 8, 2021, as it may be further amended from time to time (the "Tax"); and

WHEREAS, the Tax expires on the first date on which the Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the Tax and (b) the City Council determines that the purposes of the Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the Tax will be issued in the future; and

WHEREAS, the purpose of this Ordinance is to submit to the electors of the City the questions of issuing the Bonds for the Refunding, the completion of Park and Recreational Improvements, the completion of Municipal Building Improvements, the Sewer Improvements, the Street Improvements, and the Emergency Facilities Improvements, at a special election to be called for that purpose;

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

Section 1. There is hereby called a special election to be held on November 3, 2026, at which election there shall be submitted to the electors of the City the questions of issuing the Bonds under Amendment 62 and the Authorizing Legislation to finance all or a portion of the costs of accomplishing the Refunding, the completion of Park and Recreational Improvements, the completion of Municipal Building Improvements, the Sewer Improvements, the Street

Improvements, and the Emergency Facilities Improvements, in the maximum principal amounts described above, to be secured as described above.

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

REFUNDING BONDS

Bonds of the City of Brookland in the maximum aggregate principal amount of \$4,640,000 for the purpose of financing all or a portion of the costs of refunding the City's Sales and Use Tax Refunding and Improvement Bonds, Series 2021 and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No. 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future.

FOR.....

AGAINST.....

PARK IMPROVEMENT BONDS

Bonds of the City of Brookland in one or more series from time to time in the maximum aggregate principal amount of \$7,450,000 (the "2027 Park Improvement Bonds") for the purpose of financing a portion of the costs of park and recreational facilities and improvements, including particularly, without limitation, ball fields, any land acquisition therefor, and any furnishings, equipment, utility adjustments and lighting, street, parking, landscaping, signage and drainage improvements related thereto or in support thereof and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future. A portion of the park and recreational facilities and improvements were financed with proceeds of the City's Sales and Use Tax Refunding and Improvement Bonds, Series 2021, and the 2027 Park Improvement Bonds are proposed to finance the remainder of the costs necessary to complete such facilities and improvements.

FOR.....

AGAINST.....

MUNICIPAL BUILDING IMPROVEMENT BONDS

Bonds of the City of Brookland in one or more series from time to time in the maximum aggregate principal amount of \$3,445,000 (the "2027 Municipal Building Improvement Bonds") for the purpose of financing a portion of the costs of the acquisition and construction of a municipal building that will contain city offices and a police station, any land acquisition therefor, and any furnishings, equipment, utility adjustments and lighting, street, parking, landscaping, signage and drainage improvements related thereto or in support thereof and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No. 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future. A portion of the costs of acquiring and constructing the municipal building was also financed with proceeds of the City's Sales and Use Tax Refunding and Improvement Bonds, Series 2021, and the 2027 Municipal Building Improvement Bonds are proposed to finance the remainder of the costs necessary to complete such facilities.

FOR.....

AGAINST.....

SEWER IMPROVEMENT BONDS

Bonds of the City of Brookland in one or more series from time to time in the maximum aggregate principal amount of \$3,385,000 for the purpose of financing all or a portion of the costs of acquiring, constructing, and equipping extensions, betterments and improvements to the City's sewer facilities and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No. 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future.

FOR.....

AGAINST.....

STREET IMPROVEMENT BONDS

Bonds of the City of Brookland in one or more series from time to time in the maximum aggregate principal amount of \$7,910,000 for the purpose of financing all or a portion of the costs of constructing and improving streets and roads, including particularly, without limitation, any paving, repair, curbing, gutter, sidewalks, signage and drainage improvements, equipment and land acquisition and street lighting, utility improvements and adjustments and traffic signals related thereto or in support thereof and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future. If the bonds are approved, the City may, prior to the issuance of the bonds, obtain such interim financing as permitted by Arkansas laws.

FOR.....

AGAINST.....

EMERGENCY FACILITIES IMPROVEMENT BONDS

Bonds of the City of Brookland in one or more series from time to time in the maximum aggregate principal amount of \$725,000 for the purpose of financing all or a portion of the costs of the acquisition, construction, and equipping of storm and emergency shelters, emergency alert sirens, and related facilities and apparatus, including particularly, without limitation, any signage, equipment and land acquisition, street lighting, and utility improvements or adjustments related thereto or in support thereof and, in order to pay the bonds, the pledge of the existing 2% local sales and use tax levied within the City by Ordinance No 2015-25, adopted August 31, 2015, as amended (the "2015 Tax"). The 2015 Tax expires on the first date on which the 2015 Tax can be administratively removed when (a) there are sufficient funds to pay in full any outstanding bonds secured by a pledge of collections of the 2015 Tax and (b) the City Council determines that the purposes of the 2015 Tax cannot be or cannot continue to be fulfilled because no bonds secured by a pledge of collections of the 2015 Tax will be issued in the future.

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 Craighead County Clerk at least 70 days prior to the election date and (b) given to the Craighead 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 Clerk, 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. If any Bonds are approved and issued, the City intends (a) to negotiate with Stephens Inc., which has assisted the City in preparation of the Bond size and repayment structure, for the sale of the Bonds and (b) to work with Friday, Eldredge & Clark, LLP, as bond counsel, on the preparation of the documents authorizing the issuance of the Bonds that may be issued from time to time.

Section 8. Following adoption, this Ordinance shall be posted in the following public places in the City: City Hall, Police Station, Post Office, LaCascada Restaurant, and Dollar General.

Section 9 All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: June 9, 2026

ATTEST:



City Clerk

APPROVED:



Mayor

(SEAL)



CERTIFICATE

The undersigned, City Clerk of Brookland, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 2026-05, passed at a regular session of the City Council of Brookland, Arkansas, held at the regular meeting place of the City Council at 7:00 o'clock p.m., on the 9th day of June, 2026, and that the Ordinance is of record in the Ordinance Record Book now in my possession.

GIVEN under my hand and seal this 9th day of June, 2026.

Julie Thomas

City Clerk

(SEAL)

