ORDINANCE NO. 3263

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO

WHEREAS, the City Council of the City of Farmers Branch, Texas (the "City"), hereby finds and determines that it is necessary and advisable to call and hold an election in the City for the purpose of submitting certain propositions pertaining to the issuance of bonds for the purposes hereinafter set forth; and

WHEREAS, the City Council hereby finds and determines that said election shall be held on a uniform election date established by Section 41.001(a) Texas Election Code, as amended, as required by Texas law; and

WHEREAS, the City Council hereby finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

Section 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as part of the operative provisions hereof.

Section 2. Election Ordered; Date; Proposition. An election (the "Election") shall be held for and within the City on Saturday, May 10, 2014 ("Election Day"), a uniform election date established by Section 41.001(a) of the Texas Election Code, as amended (the "Code"). At the Election the following proposition (the "Proposition") shall be submitted to the qualified voters of the City in accordance with law:

PROPOSITION NO. 1

"Shall the City Council of the City of Farmers Branch, Texas be authorized to issue general obligation bonds of said City in the aggregate principal amount of $23,500,000 for the purpose of providing funds for permanent public improvements, to-wit: engineering, constructing, reconstructing, improving, repairing, developing, extending and expanding streets, thoroughfares, bridges, interchanges, intersections, grade separations, sidewalks and other public ways of the City, including related streetscape improvements, public utility improvements, storm drainage facilities and improvements, signalization and other traffic controls, street lighting, and the acquisition of land therefor; such

bonds to mature serially within not to exceed twenty (20) years from their date, to be issued in one or more series and sold at such prices and bear interest at such rates as shall be determined within the discretion of the City Council under the laws of the State in effect at the time of such issuance; and to provide for the payment of the principal of and interest on said bonds by levying ad valorem taxes to be assessed and collected annually in an amount sufficient to pay the annual interest on and to create a sinking fund to redeem said bonds as they become due?"

Section 3. Official Ballot. The Proposition shall be set forth substantially in the following form, so as to permit the voters to vote "FOR" or "AGAINST" the Proposition, which shall be set forth on the ballots in substantially the following form:

PROPOSITION NO. 1

☐	FOR	THE ISSUANCE OF $23,500,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE LEVY OF A TAX IN PAYMENT THEREOF
☐	AGAINST	

Section 4. Persons Qualified to Vote. All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 5. Election Precincts, Voting Locations and Voting Hours on Election Date. The voting precincts for the Election are hereby designated to be those municipal voting precincts identified by their respective county precinct numbers as determined by the Elections Administrator. Such locations incorporated herein by reference for all purposes; provided, however, such times and locations may be changed if so directed by the Elections Administrator without further action of the City Council. The Elections Administrator is hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the Election.

Section 6. Early Voting Locations, Dates and Times. (a) The Elections Administrator is hereby appointed as Early Voting Clerk for the election. Deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting. Early voting by mail shall be conducted in conformance with the requirements of the Code. The main early voting polling place is hereby designated to be the Dallas County Records Building, 509 Main Street, Dallas, Texas 75202. Ballot applications and ballots voted by mail shall be sent to: Dallas County Elections Department, 8th Floor, Health and Human Services Building, 2377 North Stemmons Freeway, Dallas, Texas 75207. The Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Code. Early voting shall be conducted by the Early Voting Clerk, at the main early voting polling location listed above, such location may be changed or additional early voting locations may be added by the Elections Administrator, without further action of the City Council, as is necessary for the proper conduct of the Election.

(b) In addition to the main early voting polling location, City of Farmers Branch voters may vote at all early voting polling locations as designated and maintained by Dallas County throughout the County such locations as listed in Exhibit A attached hereto.

(c) Early voting by personal appearance shall begin on Monday, April 28, 2014, and shall end at 7:00 p.m. on Tuesday, May 6, 2014, with the voting times to be as follows:

April 28, (Monday through Friday) May 2	8:00 AM – 5:00 PM
May 3, (Saturday)	8:00 AM – 5:00 PM
May 4, (Sunday)	1:00 PM – 6:00 PM
May 5, (Monday and Tuesday) May 6	7:00 AM – 7:00 PM

Section 7. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Ordinance, in English and Spanish, on the same day of each of two (2) successive weeks not earlier than the thirtieth (30th) day nor later than the fourteenth (14th) day prior to the date set for the Election, in a newspaper published in the City, (ii) posting a copy of this Ordinance, in English and Spanish at the City Hall on the bulletin board used for posting notices of the meetings of the City Council and at three (3) other public places within the boundaries of the City, not later than the twenty-first (21st) day prior to the date set for the Election and (iii) posting a copy of this Ordinance, in English and Spanish, on the City's website, prominently and together with the notice of the Election and the contents of the Proposition, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Ordinance shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the county clerk of Dallas County, Texas and the Dallas County voter registrar not later than the 60th day before the Election Day.

Section 8. Conduct of Election. (a) The Election shall be conducted in accordance with the Code under the jurisdiction of the Dallas County Elections Department (the "Elections Administrator") pursuant to an Election Services Contract (the "Contract") by and among Dallas County Elections Department ("DCED"), the City and other participating entities, if any, described in the Contract. The City Manager or the City Manager's designee is authorized to amend or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator.

(b) Election judges, alternate judges and clerks shall be paid, as determined by the Elections Administrator, for their service in the Election.

(c) E-slate, a Direct Record Electronic (DRE) System shall be used for early voting by personal appearance, and paper ballots, which are optically scanned, shall be used for early voting by mail. In the May 10, 2014 election, the Elections Administrator shall cause paper ballots, which are optically scanned, to be prepared in the form of the ballot prescribed below, being in both English and Spanish, and shall furnish election officials said ballots, in such form, together with any other forms or blanks, in accordance with the Charter of the City of Farmers Branch, Texas, the Constitution and laws of the State of Texas and the Voting Rights Act of 1965, and any amendments thereto, insofar as same are applicable. E-Slate, a Direct

Record Electronic (DRE) System shall be provided and used at each polling location on Election Day.

(d) The holding of the Election shall be in compliance with the Code except as modified by other applicable provisions of law.

(e) The election officers shall make returns for the Election in the manner required by law, and the ballots that are properly marked in conformance with the provisions of the Code for votes cast both during the period of early voting and on the day of the Election shall be counted in the manner required by law.

Section 9. Additional Information Required by Section 3.009 of the Election Code.

(a) As of the October 1, 2013, the first day of the City's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the City was $22,250,000 and the aggregate amount of outstanding interest on such tax-supported debt was $6,687,161. The City's ad valorem debt service tax rate for the current fiscal year is $0.054419 per $100 of assessed valuation of taxable property in the City.

(b) The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the City Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations in the City and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the City's control, and therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the City's current estimated project plan of finance, the City's ad valorem debt service tax rate would increase by approximately $0.045 per $100 of assessed valuation.

(c) Any additional information required by Section 3.009 of the Code is contained in Sections 2 and 3 of this Ordinance.

Section 10. Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City's Attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance.

Section 11. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining

portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 12. Effective Date. This Ordinance shall take effect immediately upon adoption.

PRESENTED, FINALLY PASSED AND APPROVED, AND EFFECTIVE on the 18th day of February, 2014, by a vote of 5 ayes and 0 nays at a regular meeting of the City Council of the City of Farmers Branch, Texas

BILL GLANCY, Mayor

ATTEST:

ANGELA KELLY, City Secretary

[SEAL]

APPROVED AS TO FORM:
PETE SMITH, City Attorney

By: _____

CITY OF FARMERS BRANCH TEXAS

Signature Page for Ordinance Calling Election

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EXHIBIT A

ELECTION DAY POLLING LOCATIONS FOR SATURDAY, MAY 10, 2014 BOND ELECTION

(Polls shall be open from 7:00 AM to 7:00 PM)

Farmers Branch City Hall
13000 William Dodson Parkway

Farmers Branch Recreation Center
14050 Heartside Place

DATES AND TIMES FOR EARLY VOTING

APRIL 28, (MONDAY THROUGH FRIDAY) MAY 02	**8AM TO 5 PM**
MAY 03, (SATURDAY)	**8AM TO 5 PM**
MAY 04, (SUNDAY)	**1 PM TO 6 PM**
MAY 05, (MONDAY AND TUESDAY) MAY 06	**7 AM TO 7 PM**

01	ADDISON FIRE STATION #1	4798 AIRPORT PKWY	ADDISON	75001
02	BALCH SPRINGS NEW CITY HALL	13503 ALEXANDER ROAD	BALCH SPRINGS	75181
03	BALCH SPRINGS OLD CITY HALL	3117 HICKORY TREE ROAD	BALCH SPRINGS	75180
04	BETHANY LUTHERAN CHURCH (Replaces Lake Highlands North Rec. Center)	10101 WALNUT HILL LANE	DALLAS	75238
05	CARROLLTON/FARMERS BRANCH ISD ADMINISTRATION	1445 N PERRY ROAD	CARROLLTON	75006
06	CEDAR HILL GOVERNMENT CENTER	285 UPTOWN BLVD	CEDAR HILL	75104
07	CIMARRON RECREATION CENTER	201 RED RIVER TRAIL	IRVING	75063
08	COCKRELL HILL CITY HALL	4125 W CLARENDON	DALLAS	75211
09	COPPELL TOWN CENTER	255 PARKWAY BLVD	COPPELL	75019
10	CROSSWINDS HIGH SCHOOL	1100 N CARRIER PKWY	GRAND PRAIRIE	75050
11	DALLAS CITY HALL	1500 MARILLA STREET	DALLAS	75201
12	DESOTO TOWN CENTER LIBRARY	211 E PLEASANT RUN	DESOTO	75115
13	DISD ADMINISTRATION BLDG	3700 ROSS AVE	DALLAS	75204
14	DUNCANVILLE LIBRARY	201 JAMES COLLINS	DUNCANVILLE	75116
15	EASTFIELD COLLEGE PLEASANT GROVE CAMPUS (Replaces Prairie Creek)	802 S BUCKNER	DALLAS	75217

16	EL CENTRO COLLEGE – WEST CAMPUS (Replaces Dallas West Library)	3330 NORTH HAMPTON ROAD	DALLAS	75212
17	FARMERS BRANCH CITY HALL	13000 WILLIAM DODSON	FARMERS BRANCH	75234
18	FRANKFORD TOWNHOMES	18110 MARSH LANE	DALLAS	75287
19	FRETZ PARK LIBRARY	6990 BELT LINE RD	DALLAS	75254
20	GARNER FINE ARTS ACADEMY	145 POLO ROAD	GRAND PRAIRIE	75052
21	GRAUWYLER PARK REC CTR	7780 HARRY HINES BLVD	DALLAS	75235
22	HEBRON & JOSEY LIBRARY	4220 N JOSEY LANE	CARROLLTON	75010
23	HUTCHINS CITY HALL	321 N MAIN STREET	HUTCHINS	75141
24	IRVING ARTS CENTER	3333 N MACARTHUR	IRVING	75062
25	IRVING CITY HALL	825 W IRVING BLVD	IRVING	75060
26	JOSEY RANCH LIBRARY	1700 KELLER SPRINGS	CARROLLTON	75006
27	LAKESIDE ACTIVITY CENTER	101 HOLLEY PARK DR	MESQUITE	75149
28	LANCASTER VET. MEMORIAL LIBRARY	1600 VETERANS MEMORIAL PKWY	LANCASTER	75134
29	LOCHWOOD LIBRARY (Replaces Harry Stone Rec Center)	11221 LOCHWOOD BLVD	DALLAS	75218
30	MARSH LANE BAPTIST CHURCH	10716 MARSH LANE	DALLAS	75229
31	MARTIN LUTHER KING CORE BLDG	2922 MLK BLVD	DALLAS	75215
32	MARTIN WEISS REC CENTER	1111 MARTINDELL AVE	DALLAS	75211
33	OAK CLIFF SUB-COURTHOUSE	410 S BECKLEY	DALLAS	75203
34	OUR REDEEMER LUTHERAN CHURCH	7611 PARK LANE	DALLAS	75225
35	PAUL LAURENCE DUNBAR LANCASTER-KEIST LIBRARY (Replaces Veterans Admin Medical Center)	2008 EAST KIEST BLVD	DALLAS	75216
36	PRESTON ROYAL LIBRARY	5626 ROYAL LANE	DALLAS	75229
37	RECORDS BUILDING (MAIN LOCATION)	509 MAIN STREET	DALLAS	75202
38	RENNER-FRANKFORD LIBRARY	6400 FRANKFORD ROAD	DALLAS	75252
39	RICHARDSON CIVIC CENTER	411 W ARAPAHO ROAD	RICHARDSON	75080
40	RICHLAND COLLEGE-GARLAND CAMPUS (Replaces Garland City Hall this election only)	675 W WALNUT STREET	GARLAND	75040
41	ROWLETT CITY HALL ANNEX	4004 MAIN STREET	ROWLETT	75088

42	SACHSE CITY HALL	3815-B SACHSE ROAD	SACHSE	75098
43	SEAGOVILLE CITY HALL	702 N HWY 175	SEAGOVILLE	75159
44	ST LUKE COMMUNITY LIFE CENTER	6211 EAST GRAND AVE	DALLAS	75223
45	SUNNYVALE TOWN HALL	127 N COLLINS ROAD	SUNNYVALE	75182
46	VALLEY RANCH LIBRARY	401 CIMARRON TRAIL	IRVING	75063
47	WILMER COMMUNITY CENTER	101 DAVIDSON PLAZA	WILMER	75172

DATES AND TIMES OF EARLY VOTING FOR TEMPORARY BRANCH LOCATIONS
JOINT ELECTION TO BE HELD ON SATURDAY, MAY 10, 2014

01	HIGHLAND PARK ISD ADMINISTRATION ANNEX	6915 WESTCHESTER DRIVE	DALLAS	75205

DATES AND TIMES OF EARLY VOTING

APR 28(MONDAY THROUGH FRIDAY) MAY 02, 2014	8 AM TO 4:30 PM
MAY 05(MONDAY AND TUESDAY) MAY 06, 2014	7 AM TO 7 PM

DATES AND TIMES OF EARLY VOTING FOR TEMPORARY BRANCH LOCATIONS
JOINT ELECTION TO BE HELD ON SATURDAY, MAY 10, 2014

01	UNIVERSITY PARK CITY HALL	3800 UNIVERSITY BLVD	UNIVERSITY PARK	75205