



ORDINANCE NO. 3557

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, CALLING A BOND ELECTION TO BE HELD ON SATURDAY, MAY 4, 2019, A UNIFORM ELECTION DATE, WITHIN THE CITY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE

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,

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

SECTION 1. 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. An election (the "Election") shall be held for and within the City on Saturday, May 4, 2019 ("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:

CITY OF FARMERS BRANCH, TEXAS - PROPOSITION A

"Shall the City Council of the City of Farmers Branch, Texas, be authorized to issue general obligation bonds of the city in the amount of (\$_____) for the purpose of providing funds for permanent public improvements, to wit: planning, designing, constructing, equipping and furnishing a new library in the general

vicinity of the existing Farmers Branch Manske Library and the demolition of such library; said bonds to mature serially over a period of not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?"

SECTION 3. 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:

CITY OF FARMERS BRANCH, TEXAS - PROPOSITION A

- ☐ FOR THE ISSUANCE OF (\$_____) GENERAL OBLIGATION BONDS FOR NEW LIBRARY, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.
- ☐ AGAINST

SECTION 4. All resident, qualified electors of the City shall be eligible to vote at the Election.

SECTION 5. 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. (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 George L. Allen Sr. Courts Building, 600 Commerce St., Dallas, Texas 75202. Ballot applications and ballots voted by mail shall be sent to: Toni Pippins- Poole, Dallas County Elections Administrator, 2377 N. Stemmons Freeway, Suite 820, 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 22, 2019, and shall end at 7:00 p.m. on Friday, April 30, 2019, with the voting times to be as follows, as such dates and times may be changed by the Elections Administrator:

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| APRIL 22 (MONDAY THRU SATURDAY) APRIL 27 | 8:00 AM TO 5:00 PM |
| APRIL 28 (SUNDAY) | 1:00 PM TO 6:00 PM |
| APRIL 29 (MONDAY THRU TUESDAY) APRIL 30 | 7:00 AM TO 7:00 PM |

SECTION 7. 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. 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. Election judges, alternate judges and clerks shall be paid, as determined by the Elections Administrator, for their service in the Election. The holding of the Election shall be in compliance with the Code except as modified by other applicable provisions of law. 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.

(a) As of the October 1, 2018, the first day of the City's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the City was \$56,460,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$17,079,760. The City's ad valorem debt service tax rate for the current fiscal year is \$0.082785 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 was approved and the bonds proposed herein were authorized and issued in accordance with the City's current estimated project plan of finance, the maximum interest rate on the bonds is not expected to exceed 5.50%.

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

SECTION 10. 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. 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. . This Ordinance shall take effect after the passage of this Ordinance as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE _____ on the _____ day of February, 2019.

ROBERT C. DYE, Mayor

ATTEST:

AMY PIUKANA, City Secretary

APPROVED AS TO FORM:
PETER G. SMITH, City Attorney

By: _____

EXHIBIT A

EARLY VOTING LOCATIONS

MAY 4, 2019 ELECTION

DATES AND TIMES FOR EARLY VOTING

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|--|-------------------|
| APRIL 22 (MONDAY THRU SATURDAY) APRIL 27 | 8:00 AM – 5:00 PM |
| APRIL 28 (SUNDAY) | 1:00 PM – 6:00 PM |
| APRIL 29 (MONDAY THRU TUESDAY) APRIL 30 | 7:00 AM – 7:00 PM |

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|---|-----------------------------------|----------------|
| Bethany Lutheran Church | 10101 Walnut Hill Ln | Dallas |
| Cedar Hill Government Center | 285 Uptown Blvd | Cedar Hill |
| Crosswinds High School | 1100 N Carrier Pkwy | Grand Prairie |
| Disciple Central Community Church | 901 N Polk St | DeSoto |
| Duncanville Library | 201 James Collins Blvd | Duncanville |
| Eastfield College Pleasant Grove Campus | 802 S Buckner Blvd | Dallas |
| El Centro College-West Campus | 3330 N Hampton Rd | Dallas |
| Farmers Branch City Hall | 13000 William Dodson Pkwy | Farmers Branch |
| Fretz Park Branch Library | 6990 Belt Line Rd | Dallas |
| George L Allen Sr Courts Bldg main location (replaces Records Bldg) | 600 Commerce St | Dallas |
| Glenn Heights City Hall | 1938 S Hampton Rd | Glenn Height |
| Grauwylar Park Rec Center | 7780 Harry Hines Blvd | Dallas |
| Irving City Hall | 825 W Irving Blvd | Irving |
| J Erik Jonsson Central Library | 1515 Young St | Dallas |
| Josey Ranch Library | 1700 Keller Springs Rd | Carrollton |
| Lakeside Activity Center | 101 Holley Park Dr | Mesquite |
| Lancaster Vet Memorial Library | 1600 Veterans Memorial Pkwy | Lancaster |
| Lochwood Branch Library | 11221 Lochwood Blvd | Dallas |
| Marsh Lane Baptist Church | 10716 Marsh Ln | Dallas |
| Martin Luther King Jr Core Bldg | 2922 Martin Luther King, Jr. Blvd | Dallas |
| Martin Weiss Rec Center | 1111 Martindell Ave | Dallas |
| Mountain Creek Branch Library | 6102 Mountain Creek Pkwy | Dallas |
| Oak Cliff Sub-Courthouse | 410 S Beckley Ave | Dallas |
| Our Redeemer Lutheran Church | 7611 Park Ln | Dallas |
| Paul L Dunbar-Lancaster Kiest Branch Library | 2008 E Kiest Blvd | Dallas |
| Richardson Civic Center | 411 W Arapaho Rd | Richardson |
| Richland College-Garland Campus | 675 W Walnut St | Garland |
| Rowlett City Hall Annex | 4004 Main St | Rowlett |
| Sachse City Hall | 3815 Sachse Rd Bldg B | Sachse |
| Samuell Grand Rec Center | 6200 E Grand Ave | Dallas |
| Valley Ranch Library | 401 Cimarron Tr | Irving |

**ELECTION DAY POLLING LOCATIONS FOR
SATURDAY, MAY 4, 2019 BOND ELECTION**
(Polls shall be open from 7:00 AM to 7:00 PM)

| LOCATION | ADDRESS | PRECINCTS |
|----------------------------------|---|---|
| Farmers Branch City Hall | 13000 William Dodson Pkwy Farmers Branch, TX | 2302, 2305, 2306, 2307, 2308, 2309, 2310, and 2312 |
| Farmers Branch Recreation Center | 14050 Heartside Pl Farmers Branch, TX | 2300, 2301, 2303 and 2311 |

Application for a Ballot by Mail may be downloaded from our website: www.dallascountyvotes.org

Information by phone: Dallas County Elections Administration, 214-819-6300

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Applications for early voting ballot by mail must be received no later than the close of business on Tuesday, April 23, 2019.

Toni Pippins-Poole - Early Voting Clerk
Dallas County Elections
2377 N Stemmons Frwy, Ste 820
Dallas, TX 75207

Fax: 214-819-6303

Email: evapplications@dallascounty.org