



City of Rowlett

Official Copy

Ordinance: ORD-006-23

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

ORDINANCE CALLING A BOND ELECTION AND NOTICE OF ELECTION

WHEREAS, the City Council (the "Council") of the City of Rowlett, Texas (the "City") deems it advisable to call the bond election hereinafter ordered (the "Election"); and

WHEREAS, the bond referendum is held in accordance with the provisions of Chapter 1251, Texas Government Code, and various provisions of the Texas Election Code (the "Code"), including Section 42.002 of the Code, and the City is contracting with each of Dallas County, Texas and Rockwall County, Texas (individually, a "County" and jointly, the "Counties") for the administration of the Election pursuant to separate interlocal agreements with each County (individually, an "Election Contract" and jointly, the "Election Contracts"); and

WHEREAS, the Counties, acting through each of the Dallas County Elections Administrator and the Rockwall County Elections Administrator (individually, an "Elections Administrator" and jointly, the "Elections Administrators") in accordance with each respective Election Contract, will provide for the administration of the Election; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

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

Section 2. Election Ordered; Polling Places. The Election shall be held in the City between the hours of 7:00 a.m. and 7:00 p.m. on May 6, 2023 ("Election Day"). The Election is to be conducted by the Counties, as provided by Chapter 271, Texas Election Code (the "Code"), and the Election Contract. On Election Day, voting for the Election shall occur during the hours stated above at the designated polling places as set forth in **Exhibit A** attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places required to conform to the Election Contracts and the Code.

Section 3. Early Voting. Early voting shall be administered by the Counties. Early voting by personal appearance shall begin on April 24, 2023 and conclude on May 2, 2023, and will be conducted at the Early Voting locations on the dates and at the times specified in **Exhibit B** attached hereto. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the City at such voting place. **Exhibit B** shall be modified to include additional or different early voting polling places required to conform to the Election Contracts and the Code.

Section 4. Election Officials. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrators in accordance with the Election Contracts and the Code. The Elections Administrators may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient

tabulation of ballots at the central counting station. The Council hereby authorizes the Mayor, the Mayor Pro Tem, the City Manager, the Director of Financial Services and the City Secretary to execute or attest on behalf of the City the Election Contracts with the Counties.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the City shall be submitted as follows:

(a) Applications for voting by mail for all residents of the City residing in Dallas County shall be submitted, prior to the applicable deadline prescribed by law, by (i) mail to Michael J Scarpello, Early Voting Clerk, Dallas County Elections, 1520 Round Table Drive, Dallas, Texas 75247; (ii) facsimile to (214) 819-6303; or (iii) email to evapplications@dallascounty.org. If submitted by facsimile or email, a hard copy of the application must be mailed to the address shown in clause (i) within four days of sending the facsimile or email.

(b) Applications for voting by mail for all residents of the City residing in Rockwall County shall be submitted, prior to the applicable deadline prescribed by law, by (i) mail to Rockwall County Elections, 915 Whitmore Dr., Suite D, Rockwall, Texas 75087; (ii) facsimile to (972) 204-6209; or (iii) email to elections@rockwallcountytexas.com. If submitted by facsimile or email, a hard copy of the application must be mailed to the address shown in clause (i) within four days of sending the facsimile or email.

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrators. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the City, shall be entitled to vote at the Election.

Section 8. Propositions. At the Election the following PROPOSITIONS shall be submitted in accordance with law:

CITY OF ROWLETT, TEXAS SPECIAL ELECTION
CITY OF ROWLETT, TEXAS PROPOSITION A

Shall the City Council of the City of Rowlett, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$63,928,980 for the purpose of designing, constructing, improving and equipping public safety facilities, including fire, police and municipal court facilities and related infrastructure; with said bonds to be issued in one or more series or issues, to mature, bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

CITY OF ROWLETT, TEXAS SPECIAL ELECTION
CITY OF ROWLETT, TEXAS PROPOSITION B

Shall the City Council of the City of Rowlett, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$8,400,000 for the purpose of designing, constructing, improving and equipping a municipal animal shelter and related infrastructure; with said bonds to be issued in one or more series or issues, to mature, bear interest at such rate or rates, not to exceed the respective limits

prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

CITY OF ROWLETT, TEXAS SPECIAL ELECTION
CITY OF ROWLETT, TEXAS PROPOSITION C

Shall the City Council of the City of Rowlett, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$4,000,000 for the purpose of designing, constructing, improving and equipping Herfurth Park; with said bonds to be issued in one or more series or issues, to mature, bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

Section 9. Ballots. The official ballots for the Election shall be prepared in accordance with the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITIONS, with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITIONS to be expressed substantially as follows:

CITY OF ROWLETT, TEXAS SPECIAL ELECTION

CITY OF ROWLETT, TEXAS PROPOSITION A

FOR _____) THE ISSUANCE OF \$63,928,980 OF BONDS BY THE CITY OF
AGAINST _____) ROWLETT, TEXAS FOR DESIGNING, CONSTRUCTING,
_____) IMPROVING AND EQUIPPING PUBLIC SAFETY FACILITIES,
_____) INCLUDING FIRE, POLICE AND MUNICIPAL COURT FACILITIES
_____) AND RELATED INFRASTRUCTURE, AND LEVYING A TAX
_____) SUFFICIENT TO MAKE THE PAYMENTS OF PRINCIPAL AND
_____) INTEREST THEREON.

CITY OF ROWLETT, TEXAS SPECIAL ELECTION

CITY OF ROWLETT, TEXAS PROPOSITION B

FOR _____) THE ISSUANCE OF \$8,400,000 BONDS BY THE CITY OF
AGAINST _____) ROWLETT, TEXAS, FOR DESIGNING, CONSTRUCTING,
_____) IMPROVING AND EQUIPPING A MUNICIPAL ANIMAL SHELTER
_____) AND RELATED INFRASTRUCTURE, AND LEVYING A TAX
_____) SUFFICIENT TO MAKE THE PAYMENTS OF PRINCIPAL AND
_____) INTEREST THEREON.

CITY OF ROWLETT, TEXAS SPECIAL ELECTION
CITY OF ROWLETT, TEXAS PROPOSITION C

FOR _____)
AGAINST _____) THE ISSUANCE OF \$4,000,000 BONDS BY THE CITY OF
ROWLETT, TEXAS, FOR THE PURPOSE OF DESIGNING,
CONSTRUCTING, IMPROVING AND EQUIPPING HERFURTH
PARK, AND LEVYING A TAX SUFFICIENT TO MAKE THE
PAYMENTS OF PRINCIPAL AND INTEREST THEREON.
)

Section 10. Compliance with State and Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The City hereby finds that the voting system to be used by the Elections Administrators in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the City in its elections.

Section 11. Debt Obligations. The following information is provided in accordance with the provisions of Section 3.009(b) of the Code.

- (a) The proposition language that will appear on the ballot is set forth in Section 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.
- (c) The principal amount of the debt obligations to be authorized is set forth in Sections 8 and 9 hereof.
- (d) If the bonds are approved by the voters, the Council will be authorized to levy annual ad valorem taxes, on all taxable property in the City, sufficient, within the limits prescribed by law, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.
- (e) Based upon the bond market conditions at the date of adoption of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 5%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.
- (f) The bonds that are the subject of the Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the City estimates that, based on current bond market conditions, such bonds will amortize over a 20-year period from their respective date of issue.
- (g) The aggregate amount of the outstanding principal of the City's debt obligations which are secured by ad valorem taxes as of the date of this Ordinance is \$105,120,000.
- (h) The aggregate amount of the outstanding interest of the City's debt obligations which are secured by ad valorem taxes as of the date of this Ordinance is \$26,334,002.
- (i) The ad valorem debt service tax rate for the City as of the date of this Ordinance is \$0.1552 per \$100 of taxable assessed valuation.

(j) The website for the City (as the authority conducting the Election) is <https://www.rowletttx.gov> and the websites for the Counties (as the entities administering the Election) are <https://www.dallascountyvotes.org> (Dallas County) and <https://www.rockwallvotes.com> (Rockwall County).

At a meeting of the City Council on February 16, 2023, this Ordinance be adopted. The motion carried by the following vote:

Ayes: 5 Mayor Margolis, Mayor Pro Tem Winget, Deputy Mayor Pro Tem Shinder, Councilmember Galuardi and Councilmember Bell

Absent: 2 Councilmember Grubisich, Councilmember Britton

(Remainder of this page intentionally left blank.)

Approved by *Blaine Maddix*
Mayor

Date February 16, 2023

Approved to form by *David Berman*
City Attorney

Date February 16, 2023

Certified by *Saura Hallmark*
City Secretary

Date February 16, 2023

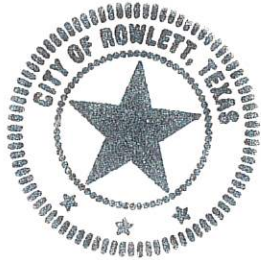


Exhibit A

Election Day Hours

May 6, 2023
7:00 am - 7:00 pm

Election Day Polling Locations

To be updated to reflect information in Election Contracts

Exhibit B

Early Voting Polling Locations, Dates and Hours

To be updated to reflect information in Election Contracts