

**ORDINANCE NO. 2019-02-009**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING A BOND ELECTION TO BE HELD ON THE 4<sup>TH</sup> DAY OF MAY, 2019, IN THE CITY OF MCKINNEY, TEXAS, MAKING PROVISIONS FOR THE CONDUCT OF THE BOND ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE BOND ELECTION.**

**WHEREAS**, the City Council of the City of McKinney, Texas (the “City”) hereby finds that an election should be held to determine whether said governing body shall be authorized to issue bonds of said City in the amounts and for the purposes hereinafter identified;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

**SECTION 1**

An election shall be held on the 4<sup>th</sup> day of May, 2019, in the City of McKinney, Texas, which date is not less than seventy-eight (78) nor more than ninety (90) days from the date of the adoption hereof and is a uniform election date pursuant to Texas Election Code, Section 41.001, for the purpose of submitting the following measures:

**CITY OF MCKINNEY, TEXAS PROPOSITION A**

“SHALL the City Council of the City of McKinney, Texas be authorized to issue general obligation bonds of the City in the principal amount of \$75,000,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, expanding, and equipping public safety facilities, including any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

**CITY OF MCKINNEY, TEXAS PROPOSITION B**

“SHALL the City Council of the City of McKinney, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$50,000,000 for permanent public improvements and public purposes, to wit: constructing, improving, furnishing and equipping a municipal community complex and acquiring any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

**CITY OF MCKINNEY, TEXAS PROPOSITION C**

“SHALL the City Council of the City of McKinney, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$91,000,000 for permanent public improvements and public purposes, to wit: renovating, constructing, developing, improving, expanding, furnishing, equipping park and recreational facilities and acquiring any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

**CITY OF MCKINNEY, TEXAS PROPOSITION D**

“SHALL the City Council of the City of McKinney, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$34,000,000 for permanent public improvements and public purposes, to wit: constructing, improving, furnishing and equipping a public works facility and acquiring any needed land and rights-of-way therefor; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

**CITY OF MCKINNEY, TEXAS PROPOSITION E**

“SHALL the City Council of the City of McKinney, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$100,000,000 for permanent public improvements and public purposes, to wit: designing, acquiring, constructing, maintaining, renovating, improving, repairing, extending, expanding, and enhancing streets, including thoroughfares, alleys, sidewalks, bridges, intersections, screening walls, and other public ways, participation in joint projects with federal, state and local public entities and agencies, computerized signalization and monitoring equipment and other traffic controls, grade separations, street lighting, necessary or incidental utility relocation, and drainage improvements in connection with the foregoing and the purchase of land, easements, rights-of-way, and other real property interests necessary therefor; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

## **SECTION 2**

Pursuant to an agreement **to be** entered into with the Collin County Elections Department (the "Contract"), the election shall be conducted by the Collin County Elections Department in accordance with the provisions of the Contract.

## **SECTION 3**

Early voting for this election shall be conducted April 22, 2019 through April 30, 2019. Bruce Sherbet, Collin County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the Contract. The main early voting location is designated in **Exhibit A** hereto and early voting will also be conducted at the locations shown in **Exhibit A** and all other locations as designated by the Collin County Elections Administrator, in accordance with the Contract. For more information regarding the City early voting locations, please contact the Collin County Elections Department at (972) 547-1990 or <http://www.collincountytx.gov>.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contract.

## **SECTION 4**

(a) The City election precincts for this election and the respective polling place designed for each election precinct are shown in **Exhibit B** and will also include all other polling places designated by the Collin County Elections Administrator, in accordance with the Contract. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the Contract.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

## **SECTION 5**

A voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by personal appearance and by mail and for election day voting.

Ballots shall be prepared in accordance with Texas Election Code and permit electors to vote "FOR" or "AGAINST" the aforesaid measures which shall appear on the ballot substantially as follows:

### **CITY OF MCKINNEY, TEXAS PROPOSITION A**

THE ISSUANCE OF \$75,000,000 GENERAL OBLIGATION BONDS FOR PUBLIC SAFETY FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF

### **CITY OF MCKINNEY, TEXAS PROPOSITION B**

THE ISSUANCE OF \$50,000,000 GENERAL OBLIGATION BONDS FOR A MUNICIPAL COMMUNITY COMPLEX AND THE LEVYING OF A TAX IN PAYMENT THEREOF

**CITY OF MCKINNEY, TEXAS PROPOSITION C**

THE ISSUANCE OF \$91,000,000 GENERAL OBLIGATION BONDS FOR PARKS AND RECREATION FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF

**CITY OF MCKINNEY, TEXAS PROPOSITION D**

THE ISSUANCE OF \$34,000,000 GENERAL OBLIGATION BONDS FOR PUBLIC WORKS FACILITIES AND THE LEVYING OF A TAX IN PAYMENT THEREOF

**CITY OF MCKINNEY, TEXAS PROPOSITION E**

THE ISSUANCE OF \$100,000,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS INCLUDING SIDEWALK, ALLEY, AND OTHER TRAFFIC FLOW IMPROVEMENTS AND THE LEVYING OF A TAX IN PAYMENT THEREOF

**SECTION 6**

The City shall also utilize a Central Counting Station, as provided by Chapter 127 of the Texas Election Code, as amended. The Collin County Elections Administrator, or a designee thereof, is hereby appointed the Manager of the Central Counting Station, and is instructed to establish a written plan for the orderly operation of the Central Counting Station in accordance with Section 127.007 of the Texas Election Code, as amended. The City hereby authorizes the Collin County Elections Administrator to appoint a Presiding Judge of the Central Counting Station, the Tabulation Supervisor, and the Programmer for the Central Counting Station and may appoint clerks for the Central Counting Station as needed or desirable. The Collin County Elections Administrator will cause to be published notice and conduct testing on the automatic tabulation equipment relating to the Central Counting Station and will conduct instruction for the officials and clerks for the Central Counting Station in accordance with the provisions of the Texas Election Code.

**SECTION 7**

All resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election such electors shall vote at the polling place designated for the Election Precinct in which they reside. This election shall be held and conducted in accordance with the provisions of Texas Election Code and Texas Government Code, Chapter 1251, and to the extent required by law, all election materials and proceedings shall be printed in both English and Spanish.

**SECTION 8**

A substantial copy of this Ordinance shall serve as proper notice of said election. Said notice, including a Spanish translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in said City, the first of said publications to appear in said newspaper not more than thirty (30) days and not less than fourteen (14) full days prior to the day of the election. Additionally, said notice shall be posted (i) at three (3) public places within the City and at the City Hall not less than twenty-one (21) full days prior to the date on which said election is to be held, (ii) prominently on the City's Internet website during the twenty-one (21) days prior to election day, and (iii) in a prominent location at each polling place on the day of the election and during early voting.

#### **SECTION 9**

In accordance with Texas Election Code, Section 3.009(b), as amended, the aggregate amount of outstanding principal of the City's debt obligations secured by ad valorem taxes as of the beginning of the City's 2018/2019 fiscal year, totaled \$237,280,000; the aggregate amount of outstanding interest on the City's debt obligations secured by ad valorem taxes as of the beginning of the City's 2018/2019 fiscal year totaled \$76,918,391; and the ad valorem debt service tax rate for the City for the 2018/2019 fiscal year is \$0.162781 per \$100 of taxable assessed valuation. Based on the bond market conditions at the date of adoption of this Ordinance, the maximum net effective interest rate for any series of the bonds is estimated to be 5.00%. Such estimated maximum rate is provided as a matter of information and in accordance with the requirements of Texas law, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

#### **SECTION 10**

This Ordinance hereby incorporates the provisions of the Contract, and to the extent of any conflict between this Ordinance and the Contract, the provisions of the Contract, as applicable, shall control. The Mayor, City Manager or City Secretary or other appropriate official, is hereby authorized to correct, modify or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Collin County Elections Administrator, as applicable, and the City.

*[Remainder of page intentionally left blank]*

**DULY PASSED AND APPROVED** by the City Council of the City of McKinney, Texas,  
this the 5<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
George Fuller, Mayor

ATTEST:

\_\_\_\_\_  
Empress Drane, City Secretary

(City Seal)

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Houser, City Attorney

## EXHIBIT A

### Early Voting Locations and Hours

Early Voting Dates: Monday, April 22, 2019 through Tuesday, April 30, 2019.

Early Voting Clerk: Bruce Sherbet, Collin County Elections Department, Suite 102, 2010 Redbud Blvd., McKinney, Texas 75069.

\*Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site.

### Early Voting Dates and Times

#### Dates

#### Times

Monday, April 22, 2019 through Wednesday, April 24, 2019	8:00 a.m. – 5:00 p.m.
Thursday, April 25, 2019	8:00 a.m. – 7:00 p.m.
Friday, April 26, 2019 through Saturday, April 27, 2019	8:00 a.m. – 5:00 p.m.
Monday, April 29, 2019 through Tuesday, April 30, 2019	7:00 a.m. – 7:00 p.m.

### Main Early Voting Polling Place

Collin County Elections Office, 2010 Redbud Blvd, #102, McKinney, Texas 75069

### Permanent Branch Early Voting Polling Places

#### Location

#### Address

Collin College Central Park Campus	2200 University Drive, McKinney, TX
Collin College Higher Ed Center	3452 Spur 399, McKinney, TX
McKinney Fire Station #5	6600 Virginia Parkway, McKinney, TX
McKinney Performing Arts Center	111 N. Tennessee St., McKinney, TX

\*City voters may vote at any of the additional Early Voting locations, provided in the Contract.

## EXHIBIT B

### Election Day Locations and Hours

**Election Day:** May 4, 2019

**Election Day Polling Locations:** Open from 7 a.m. to 7 p.m.

<b>Election Precinct</b>	<b>Polling Place and Address</b>
"VOTE CENTER"	Collin County Elections Office, 2010 Redbud Blvd. #102, McKinney, TX
"VOTE CENTER"	Collin College Central Park Campus, 2200 University Drive, McKinney, TX
"VOTE CENTER"	Collin College Higher Ed Center, 3452 Spur 399, McKinney, TX
"VOTE CENTER"	Evans Middle School, 6998 Eldorado Parkway, McKinney, TX
"VOTE CENTER"	McKinney City Hall, 222 N. Tennessee Street, McKinney, TX
"VOTE CENTER"	McKinney Fire Station #5, 6600 Virginia Parkway, McKinney, TX
"VOTE CENTER"	McKinney Senior Rec Center, 1400 S. College St., McKinney, TX
"VOTE CENTER"	Slaughter Middle School, 2706 Wolford Street, McKinney, TX

\*City voters may vote at any of the additional Election Day Vote Centers provided in the Contract.