

ORDINANCE NO. 099-053

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE TOWN, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS ORDINANCE

THE STATE OF TEXAS §
COUNTY OF DALLAS §
TOWN OF ADDISON §

WHEREAS, the City Council of the Town of Addison, Texas (the "Town") has determined that an election should be called and held in the Town for the purpose of submitting certain propositions for the issuance of general obligation bonds of the Town for the purposes hereinafter set forth; and

WHEREAS, the City Council finds and declares that it is in the public interest that said election be held on February 12, 2000 a date other than a uniform election date as provided in the Texas Election Code, as amended; and

WHEREAS, the City Council 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 TOWN OF ADDISON, TEXAS:

1. That pursuant to Chapter 1251, Texas Government Code, as amended, and the Texas Election Code, as amended, an election (the "Election") shall be held in and throughout the Town of Addison, Texas, on February 12, 2000, which date is not less than fifteen (15) nor more than ninety (90) days from the date of this Ordinance and the City Council hereby finds and declares it to be in the public interest that said Election be held on a date other than a uniform election date. At said Election, the following propositions ("Propositions") shall be submitted to the qualified voters of the Town:

PROPOSITION NO. 1

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$20,500,000 for the purpose of providing funds for permanent public improvements, to-wit: engineering, constructing, improving, developing, realigning, extending and expanding Arapaho Road, including necessary and related storm drainage facilities and improvements, signalization and other traffic controls, street lighting and the acquisition of any needed rights-of-way 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?"

PROPOSITION NO. 2

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$11,500,000 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 Town, including necessary and related storm drainage facilities and improvements, signalization and other traffic controls, street lighting, and the acquisition of any needed rights-of-way 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?"

PROPOSITION NO. 3

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$11,000,000 for the purpose of providing funds for permanent public improvements, to-wit: relocating utilities currently located adjacent to Belt Line Road and acquiring, constructing, and developing Belt Line Road streetscape improvements; 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?"

PROPOSITION NO. 4

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$1,300,000 for the purpose of providing funds for permanent public improvements, to-wit: acquiring the existing building presently used as Town Hall, including acquisition of land and interests in land in connection therewith; 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?"

PROPOSITION NO. 5

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$3,000,000 for the purpose of providing funds for permanent public improvements, to-wit: designing, constructing, equipping, and furnishing expansions to the Addison Athletic Club and landscaping related thereto; 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?"

PROPOSITION NO. 6

"Shall the City Council of the Town of Addison, Texas be authorized to issue general obligation bonds of said Town in the aggregate principal amount of \$725,000 for the purpose of providing funds for permanent public improvements, to-wit: designing, constructing, expanding, equipping and furnishing a community outdoor swimming pool and related facilities; 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?"

2. The Propositions shall be set forth substantially in the following form, so as to permit the voters to vote "FOR" or "AGAINST" the Propositions, which shall be set forth on the ballots in substantially the following form:

PROPOSITION NO. 1

THE ISSUANCE OF \$20,500,000 GENERAL OBLIGATION BONDS FOR THE EXTENSION OF ARAPAHO ROAD AND THE LEVY OF A TAX IN PAYMENT THEREOF

PROPOSITION NO. 2

THE ISSUANCE OF \$11,500,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS AND THE LEVY OF A TAX IN PAYMENT THEREOF

PROPOSITION NO. 3

THE ISSUANCE OF \$11,000,000 GENERAL OBLIGATION BONDS FOR BELT LINE ROAD UTILITY RELOCATIONS AND STREETSCAPE IMPROVEMENTS AND THE LEVY OF A TAX IN PAYMENT THEREOF

PROPOSITION NO. 4

THE ISSUANCE OF \$1,300,000 GENERAL OBLIGATION BONDS FOR THE ACQUISITION OF THE EXISTING TOWN HALL BUILDING AND LAND AND THE LEVY OF A TAX IN PAYMENT THEREOF

PROPOSITION NO. 5

THE ISSUANCE OF \$3,000,000 GENERAL OBLIGATION BONDS FOR EXPANDING AND EQUIPPING THE ADDISON ATHLETIC CLUB AND THE LEVY OF A TAX IN PAYMENT THEREOF

PROPOSITION NO. 6

THE ISSUANCE OF \$725,000 GENERAL OBLIGATION BONDS FOR CONSTRUCTING A COMMUNITY OUTDOOR SWIMMING POOL AND RELATED FACILITIES AND THE LEVY OF A TAX IN PAYMENT THEREOF

3. That all resident, qualified voters of the Town shall be entitled to vote at the Election. The holding of the Election shall be in compliance with the Texas Election Code, as amended, except as modified by other applicable provisions of law.

4. The polls for said Election shall be open from 7:00 a.m. until 7:00 p.m. except for early voting which shall be conducted pursuant to Section 6.

5. The election precincts for the Election shall consist of the territory situated within those Dallas County election precincts which are located within the boundaries of the Town, and which bear the precinct numbers set forth in Exhibit A attached hereto and incorporated herein for all purposes. The voting locations for voting on Election Day for the respective election precincts shall be as set forth in Exhibit A.

6. a. Early voting shall be conducted by Carmen Moran, City Secretary, as Early Voting Clerk and the Dallas County Elections Administrator, Bruce R. Sherbet, is appointed Deputy Clerk of early voting, which early voting shall be conducted at the Central Fire Station, 4798 Airport Parkway, Addison, Texas, the designated main early voting location, the Town Council having determined that conducting early voting in the building housing the main business office of the City Secretary is impracticable. The period for early voting for the election is established by law. Early voting will be conducted on Wednesday, January 26, 2000, through Friday, January 28, 2000 between 8:00 a.m. and 5:00 p.m.; Monday, January 31, 2000 through Friday, February 4, 2000 between 8:00 a.m. and 5:00 p.m.; Saturday, February 5, 2000 between 8:00 a.m. and 5:00 p.m.; Sunday, February 6, 2000 between 1:00 p.m. and 6:00 p.m.; and Monday, February 7, 2000 through Tuesday February 8, 2000 between 7:00 a.m. and 7:00 p.m.

b. Applications for early voting by mail shall be submitted to the Early Voting Clerk no earlier than December 15, 1999 and no later than the close of business on February 4, 2000, at the following address:

Bruce R. Sherbet
Deputy Early Voting Clerk
Elections Department, Eighth Floor
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207

7. Addison Town Hall, 5300 Belt Line Road, Addison, Texas, is hereby established as the Central Counting Station to receive and tabulate votes and ballots for said election.

8. The following persons are hereby authorized and approved as Central Counting Station Officials:

Manager: Bruce R. Sherbet
Dallas County Elections Administrator

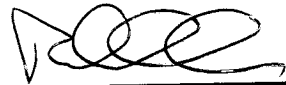
Presiding Judge: Carmen Moran
City Secretary

Tabulating Supervisor: Election Supervisor

9. That notice of the Election shall be given by posting a substantial copy of this Ordinance in both English and Spanish at the Town Hall and at three other public places in the Town not less than twenty-one (21) days prior to the date of the Election and by publishing said notice in English and Spanish on the same day in each of two (2) successive weeks in a newspaper of general circulation published in the Town, the date of the first publication to be not more than thirty (30) days nor less than fourteen (14) days prior to the date set for the Election.

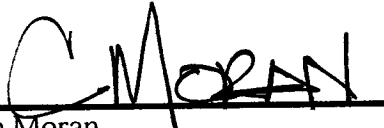
10. The Mayor and the City Secretary of the Town, in consultation with the City Attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the election, whether or not expressly authorized herein.

PASSED, APPROVED AND EFFECTIVE this 14TH day of DECEMBER 1999.



R. Scott Wheeler
Mayor, Town of Addison, Texas

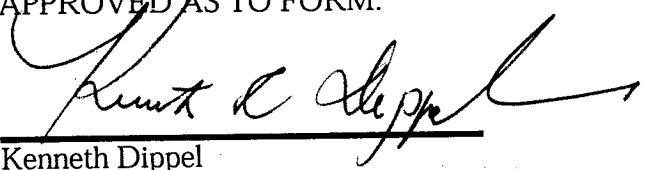
ATTEST:



Carmen Moran
City Secretary, Town of Addison, Texas

[SEAL]

APPROVED AS TO FORM:



Kenneth Dippel
City Attorney, Town of Addison, Texas

EXHIBIT A

ELECTION PRECINCTS AND VOTING PLACES

<u>CITY PCT. NO.</u>	<u>COUNTY PCT. NO.</u>	<u>VOTING PLACE</u>	<u>ADDRESS</u>
1	1506, 1600, 1601, 1602	Addison Fire Station #2	3950 Beltway Drive, Addison
2	1603	Addison Fire Department	4798 Airport Parkway, Addison

Published
12/24/99

