

**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 012-013**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON MAY 12, 2012 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN CERTAIN PROPOSITIONS PERTAINING TO THE ISSUANCE OF BONDS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas (the "City") heretofore ordered and called a special election to be held on the 12<sup>th</sup> day of May, 2012 within the City for the purpose of submitting certain propositions pertaining to the issuance of bonds as set forth in the City ordinance ordering and calling the said election (the "Election"); and

**WHEREAS**, notice of the Election was given pursuant to and in accordance with applicable law, and the Election was duly and lawfully conducted and held on May 12, 2012, and the returns of the Election have been delivered in accordance with law to the City Council as the canvassing authority for the Election; and

**WHEREAS**, a quorum of the City Council as required by law met on May 22, 2012 for the purpose of canvassing the returns and declaring the results of the Election as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. The above and foregoing recitals to this Ordinance are true and correct and are incorporated herein and made a part of this Ordinance for all purposes.

Section 2. Canvass of General Election.

A. A tabulation of the returns of the special bond election held on May 12, 2012, called and ordered for the purpose of submitting certain propositions to the qualified voters of the City pertaining to the issuance of bonds as set forth in the City ordinance ordering and calling the said election, is attached hereto as Exhibit A and incorporated herein and made a part hereof for all purposes. A summary of the said tabulation of returns for the special bond election set forth in the attached Exhibit A, showing the total votes received for and against each measure or proposition, is as follows:

<u>Proposition</u>	<u>Number of</u> <u>"Yes" (For)</u> <u>Votes</u>	<u>Number of</u> <u>"No"</u> <u>(Against)</u> <u>Votes</u>	<u>Total</u> <u>Votes</u>
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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 \$29,500,000 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 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-five (25) 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?”

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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 \$10,000,000 for the purpose of providing funds for permanent public improvements, to-wit: relocating utilities currently located in or adjacent to the Belt Line Road right-of-way and acquiring, constructing, and developing Belt Line Road roadway and streetscape improvements and the acquisition of land therefor; such bonds to mature serially within

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not to exceed twenty-five (25) 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 \$7,000,000 for the purpose of providing funds for permanent public improvements, to-wit: the acquisition and improvement of land and interests in land to provide improvements, additions and access to the Addison Municipal Airport; such bonds to mature serially within not to exceed twenty-five (25) 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?"

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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 \$3,000,000 for the design, construction, acquisition and improvement of public parking facilities for

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the Addison Arts and Events District, including the acquisition of land therefor; such bonds to mature serially within not to exceed twenty-five (25) 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 \$2,000,000 for the purpose of providing funds for permanent public improvements, to-wit: acquisition of high speed communications equipment and related wireless network infrastructure for connection with the Town's data network, including automated meter reading and live monitoring infrastructure for law enforcement and first responders, parks and neighborhoods and airport security; such bonds to mature serially within not to exceed twenty-five (25) 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?"

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PROPOSITION NO. 6

“Shall the City Council of the Town of Addison, Texas be authorized issue general obligation bonds of said Town in the aggregate principal amount of \$3,500,000 for public park improvements and improvements to Town pedestrian/bicycle trails, including neighborhood lighting, landscaping, signage and the acquisition of land therefor; such bonds to mature serially within not to exceed twenty-five (25) 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?”

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B. In accordance with the foregoing and pursuant to applicable law, including the Texas Election Code and the City’s Home Rule Charter, the City Council finds, determines and declares the results of the special bond election to be that each of the propositions were approved and passed.


Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance is held invalid or unconstitutional by the final, valid judgment or decree of a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall take effect immediately from and after its passage and approval.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas, on this the 22nd day of May, 2012.

  
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Todd Meier, Mayor

ATTEST:

By:   
\_\_\_\_\_  
Chris Terry, City Secretary

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
John Hill, City Attorney

**EXHIBIT A  
TO ORDINANCE NO. 012-013**

Town of Addison, Texas  
Special Bond Election – May 12, 2012  
Tabulation of Returns (Unofficial)

**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 \$29,500,000 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, sidewalks and other public ways of the Town, 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-five (25) 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?

	Precinct 5997 Early Voting	Precinct 5997 Election Day Voting	Precinct 5997 Prov EV/ED	Precinct 6003 Early Voting	Precinct 6003 Election Day Voting	Precinct 6003 Prov EV/ED	Precinct 6005 Early Voting	Precinct 6005 Election Day Voting	Precinct 6005 Prov EV/ED	Precinct 6007 Early Voting	Precinct 6007 Election Day Voting	Precinct 6007 Prov EV/ED	Precinct 6008 Early Voting	Precinct 6008 Election Day Voting	Precinct 6008 Prov EV/ED	Precinct 6011 Early Voting	Precinct 6011 Election Day Voting	Precinct 6011 Prov EV/ED	Total Votes
FOR	191	267	1	8	8	0	43	32	0	35	34	0	48	0	0	48	59	0	726
AGAINST	56	80	0	5	1	0	8	10	0	8	11	0	23	0	0	23	13	0	215

**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 \$10,000,000 for the purpose of providing funds for permanent public improvements, to-wit: relocating utilities currently located in or adjacent to the Belt Line Road right-of-way and acquiring, constructing, and developing Belt Line Road roadway and streetscape improvements and the acquisition of land therefor; such bonds to mature serially within not to exceed twenty-five (25) 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?

	Precinct 5997 Early Voting	Precinct 5997 Election Day Voting	Precinct 5997 Prov EV/ED	Precinct 6003 Early Voting	Precinct 6003 Election Day Voting	Precinct 6003 Prov EV/ED	Precinct 6005 Early Voting	Precinct 6005 Election Day Voting	Precinct 6005 Prov EV/ED	Precinct 6007 Early Voting	Precinct 6007 Election Day Voting	Precinct 6007 Prov EV/ED	Precinct 6008 Early Voting	Precinct 6008 Election Day Voting	Precinct 6008 Prov EV/ED	Precinct 6011 Early Voting	Precinct 6011 Election Day Voting	Precinct 6011 Prov EV/ED	Total Votes
FOR	195	264	1	6	8	0	43	26	0	34	32	0	58	0	0	61	12	0	728
AGAINST	53	82	0	7	1	0	7	15	0	9	12	0	14	0	0	14	12	0	212

**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 \$7,000,000 for the purpose of providing funds for permanent public improvements, to-wit: the acquisition and improvement of land and interests in land to provide improvements, additions and access to the Addison Municipal Airport; such bonds to mature serially within not to exceed twenty-five (25) 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?

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FOR	164	221	1	8	7	0	36	23	0	29	28	0	0	0	0	49	51	0	617
AGAINST	84	123	0	5	2	0	15	18	0	14	17	0	0	0	0	24	22	0	324

**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 \$3,000,000 for the design, construction, acquisition and improvement of public parking facilities for the Addison Arts and Events District, including the acquisition of land therefor; such bonds to mature serially within not to exceed twenty-five (25) 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?

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FOR	173	225	1	7	7	0	35	25	0	38	34	0	0	0	0	49	52	0	646
AGAINST	76	120	0	6	2	0	16	15	0	6	11	0	0	0	0	24	21	0	297



**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 \$2,000,000 for the purpose of providing funds for permanent public improvements, to-wit: acquisition of high speed communications equipment and related wireless network infrastructure for connection with the Town's data network, including automated meter reading and live monitoring infrastructure for law enforcement and first responders, parks and neighborhoods and airport security; such bonds to mature serially within not to exceed twenty-five (25) 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?

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FOR	200	268	1	8	7	0	43	30	0	39	33	0	0	0	0	52	54	0	735
AGAINST	48	76	0	5	1	0	8	11	0	4	11	0	0	0	0	21	18	0	203

**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 \$3,500,000 for public park improvements and improvements to Town pedestrian/bicycle trails, including neighborhood lighting, landscaping, signage and the acquisition of land therefor; such bonds to mature serially within not to exceed twenty-five (25) 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?

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FOR	197	277	1	5	7	0	38	29	0	39	36	0	54	0	0	54	51	0	734
AGAINST	52	68	0	8	1	0	12	12	0	4	9	0	19	0	0	21	21	0	206