

**CITY OF PILOT POINT**

**ORDINANCE NO. 372-12-2018**

**AN ORDINANCE ordering a bond election to be held in the City of Pilot Point, Texas, making provision for the conduct of the election and resolving other matters incident and related to such election.**

WHEREAS, the City Council of the City of Pilot Point, Texas hereby finds that an election should be held to determine whether such governing body shall be authorized to issue bonds of the City in the amounts and for the purposes hereinafter identified; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS:**

**SECTION 1:** An election shall be held on the 6<sup>th</sup> day of November, 2018, in the City of Pilot Point, 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 PILOT POINT, TEXAS PROPOSITION A**

“SHALL the City Council of the City of Pilot Point, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$4,500,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, designing, renovating, improving, expanding and equipping public safety facilities, including a new fire station, a new police station and renovation of the existing fire station and police station for the public works and development services departments; 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 PILOT POINT, TEXAS PROPOSITION B**

“SHALL the City Council of the City of Pilot Point, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$4,000,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, designing, improving, expanding and maintaining streets, thoroughfares, bridges, alleyways, pathways, screening walls and sidewalks within the City, including related storm drainage improvements, signage, streetscaping, beautification, median improvements and entryway improvements, utility line relocations, and the acquisition of needed right-of-ways 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 PILOT POINT, TEXAS PROPOSITION C**

"SHALL the City Council of the City of Pilot Point, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$500,000 for public purposes, to wit: master plan for drainage system and improvements, 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 PILOT POINT, TEXAS PROPOSITION D**

"SHALL the City Council of the City of Pilot Point, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$500,000 for permanent public improvements and public purposes, to wit: sidewalks within the City; 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:** In accordance with the provisions of an election services contract with the Denton County Elections Administrator (the "Contract"), the election shall be conducted by the Denton County Elections Administrator, in accordance with the provisions of the "Contract". According to Cooke County and Grayson County, there are no registered voters of the City residing in these counties.

**SECTION 3:** The locations, dates and times for early voting for this election shall be as shown in **Exhibit A**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Frank Phillips, Denton County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the Contract.

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:** Pursuant to the provisions of the Contract, the election precincts and polling places for this election are shown in **Exhibit B** attached hereto and incorporated herein by reference as a part hereof for all purposes. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the provisions of 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 the 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 PILOT POINT, TEXAS PROPOSITION A

"THE ISSUANCE OF \$4,500,000 GENERAL OBLIGATION BONDS FOR PUBLIC SAFETY FACILITIES AND RENOVATION OF EXISTING PUBLIC SAFETY FACILITIES"

CITY OF PILOT POINT, TEXAS PROPOSITION B

"THE ISSUANCE OF \$4,000,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS"

CITY OF PILOT POINT, TEXAS PROPOSITION C

"THE ISSUANCE OF \$500,000 GENERAL OBLIGATION BONDS FOR MASTER PLAN FOR DRAINAGE SYSTEM AND IMPROVEMENTS"

CITY OF PILOT POINT, TEXAS PROPOSITION D

"THE ISSUANCE OF \$500,000 GENERAL OBLIGATION BONDS FOR SIDEWALKS"

**SECTION 6:** The Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Office of the Elections Department, 701 Kimberly Drive, A101, Denton, Texas. The Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at the Central Counting Station shall be appointed and designated in accordance with the provisions of the Contract. The Manager and Presiding Judge of the Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Election Code.

**SECTION 7:** All resident qualified electors of the City shall be permitted to vote at such 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 as may be 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 the election called hereby. Such notice shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the City, the first of such publications to appear in such newspaper not more than thirty (30) days and not less than fourteen (14) full days prior to the day of the election. Additionally, such 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 such 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 2017/2018 fiscal year, totaled \$8,100,492; 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 2017/2018 fiscal year totaled \$4,046,336.32; and the ad

valorem debt service tax rate for the City for the 2017/2018 fiscal year is \$0.085150 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 incorporates the provisions of the Contract and information available on the date hereof, and to the extent of any conflict between this Ordinance and the Contract, the provisions of the Contract shall control. The City Secretary or her designee, is hereby authorized to correct, modify or change the exhibits to this Ordinance based upon the final locations and times agreed upon by the Denton County Elections Administrator and the City. Additionally, to the extent qualified voters in Cooke or Grayson County timely register to vote following the adoption of this Ordinance and in accordance with applicable law, the City Secretary or her designee is hereby authorized to modify or change this Ordinance to incorporate appropriate information with respect thereto.

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PASSED AND APPROVED, this the 13<sup>th</sup> day of August, 2018.

CITY OF PILOT POINT, TEXAS

  

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Shea Dane-Patterson, Mayor

ATTEST:

  

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Alice Holloway, City Secretary

(City Seal)

**EXHIBIT A**

**EARLY VOTING LOCATIONS, DATES AND HOURS**

Early voting for this election shall begin on Monday, October 22, 2018 and end on Friday, November 2, 2018, and the dates and hours designated for early voting by personal appearance shall be as set forth below:

Dates

Hours

**Main Early Voting Polling Place**

Denton County Elections Office  
701 Kimberly Drive, A101  
Denton, Texas 76208  
Attention: Frank Phillips  
[elections@dentoncounty.com](mailto:elections@dentoncounty.com)

**Branch Early Voting Polling Places**


**Temporary Branch Early Voting Polling Place**

Location:	
<b>Dates</b>	<b>Hours</b>

**EXHIBIT B**

**COUNTY ELECTION DAY POLLING PLACES**

<u>Denton County Election Precinct</u>	<u>Polling Location</u>