



To: Mayor & City Council

From: Michael Kovacs, City Manager and Vickey Raduechel, City Secretary

Date: May 6, 2021

Agenda Item & Caption: Discuss, consider, and take any necessary action regarding an ordinance canvassing the returns of a bond election held in the City on May 1, 2021.

Action Requested: Approve ordinance canvassing the returns of the May 1, 2021 bond election.

This item is presented to canvass the May 1, 2021 bond election returns, as required by law.

Overview and Background:

A special bond election was held on May 1, 2021 to decide if the City is authorized to issue \$15 million in bonds to finance various road construction projects within the City. The road projects include:

- Turn Lanes at FM 551 and Interstate 30
- Gettysburg to Blackland
- Watertower Rd. North and South
- Woodcreek Blvd. Extension to Interstate 30 Frontage Road
- Riding Club Road East Realignment

The proposition passed with 656 votes “For” the bond and 401 votes “Against” the bond.

The Early Voting Ballot Board (EVBB) will convene on the morning of Monday, May 10th to qualify and count any provisional ballots or ballots by mail. Said ballots will not impact the overall outcome of the election. The City will receive the final tabulation of votes after the EVBB convenes on Monday, May 10th. The attached ordinance will be updated with any changes to the preliminary canvass results when received from the Rockwall County Elections Administrator.

Supporting Documents:

- Ordinance canvassing the returns of the May 1, 2021 bond election.

CERTIFICATE FOR ORDINANCE CANVASSING ELECTION RETURNS

THE STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF FATE

We, the undersigned officers of the City of Fate, Texas (the "City"), hereby certify as follows:

1. The City Council (the "Council") of the City convened in a special meeting on May 10, 2021, at the designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

- David Billings, Mayor
- Allen Robbins, Mayor Pro Tem
- Lance Megyesi, Deputy Mayor Pro Tem
- John Brandt, Council Member
- Christopher Ash, Council Member
- Heather Buegeler, Council Member
- John Hamilton, Council Member
- Vickey Raduechel, TRMC, City Secretary

and all of said persons were present except _____, thus constituting a quorum. Whereupon, among other business the following was transacted at said meeting: a written

ORDINANCE CANVASSING ELECTION RETURNS

was duly introduced for the consideration of the Council. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion, carrying with it the passage of said Ordinance, prevailed and carried, with all members of the Council shown present above voting "Aye," except as noted below:

NAYS: _____ ABSTENTIONS: _____

2. A true, full and correct copy of the aforesaid Ordinance passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Ordinance has been duly recorded in the Council's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Council's minutes of said meeting pertaining to the passage of said Ordinance; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that said Ordinance would be introduced and considered for passage at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given all as required by the Texas Government Code, Chapter 551.

3. The Council has approved the Ordinance, and the Mayor and City Secretary of the City hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED ON MAY 10, 2021.

City Secretary

Mayor

(City Seal)

ORDINANCE CANVASSING ELECTION RETURNS

THE STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF FATE

WHEREAS, this City Council (the "Council") ordered an election to be held in the City of Fate, Texas (the "City") on May 1, 2021, on the proposition hereinafter stated, and has authorized all matters pertaining to said election, including the ordering, giving notice, officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to the Council; 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 said 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 FATE, TEXAS:

1. The Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the Council has duly canvassed said returns, all in accordance with law and the ordinance calling said election.

2. The Council officially finds and determines that the following votes were cast at said election, on the submitted proposition by the resident, qualified electors of the City, who voted at the election:

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

656 VOTES FOR

Shall the City Council of the City of Fate, 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 \$15,000,000, for the purpose of designing, constructing, reconstructing, improving, extending, expanding, upgrading and developing streets, roads, sidewalks, thoroughfares and related improvements in the City, including pedestrian right of ways, related drainage, utility relocation, signalization, landscaping, lighting, and signage; 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?

401 VOTES AGAINST

3. The Council officially finds, determines and declares the result of said election to be that the aforesaid proposition HAS received a favorable majority vote, and that such proposition therefore has PASSED, and that the aforesaid bonds MAY be issued, and the aforesaid bond tax MAY be levied, assessed and collected annually as voted and provided by law.