

ORDINANCE NO. 2025-1478

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF FULSHEAR, TEXAS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO THAT ELECTION

WHEREAS, the City Council (the *Council*) of the CITY OF FULSHEAR, TEXAS (the *City*), located in Fort Bend County, Texas (the *County*), finds that a special election (the *Election*) should be held to determine whether the City will be authorized to issue general obligation bonds in the amount and for the public purposes identified in this ordinance (the *Ordinance*); and

WHEREAS, the City will contract with the County, by and through its elections administrator (the *Administrator*) to conduct all aspects of the Election for all registered voters of the City; and

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the *Participants*) pursuant to a joint election agreement according to the Texas Election Code, as amended (the *Code*); and

WHEREAS, the Council hereby finds that the actions described above are in the best interests of the residents of the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

SECTION 1. Election Ordered; Purpose; Amount. The Election will be held in the CITY OF FULSHEAR, TEXAS on May 3, 2025 (*Election Day*), which is a uniform election date under the Code and is not less than 78 days nor more than 90 days from the date of the adoption of this Ordinance, for the purpose of submitting the following legal question to the qualified voters of the City:

City of Fulshear Measure A

Should the City Council of the City of Fulshear, Texas be authorized to issue and sell one or more series of general obligation bonds of the City in the aggregate principal amount of not more than \$10,750,000 for the purpose of designing, acquiring, constructing, renovating, improving, upgrading, enhancing, and equipping Phase III of Primrose Park within the City and acquiring lands and rights-of-way necessary thereto, with the bonds to mature, bear interest, and be issued and sold as permitted by law, and will the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the City sufficient, within the limits provided by law, to pay the annual interest and provide a sinking fund to pay the bonds at maturity?

City of Fulshear Measure B

Should the City Council of the City of Fulshear, Texas be authorized to issue and sell one or more series of general obligation bonds of the City in the aggregate principal amount of not more than \$2,750,000 for the purpose of acquiring park land within the City, with the bonds to mature, bear interest, and be issued and sold as permitted by law, and will the City Council be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the City sufficient, within the limits provided by law, to pay the annual interest and provide a sinking fund to pay the bonds at maturity?

SECTION 2. Ballots. The official ballots will permit voters to vote “FOR” or “AGAINST” the measure above with the following ballot language:

City of Fulshear Proposition A

The issuance of bonds in the amount of \$10,750,000 for Phase III of Primrose Park and the levy of taxes sufficient to pay the principal of and interest on the bonds.

City of Fulshear Proposition B

The issuance of bonds in the amount of \$2,750,000 to buy park land and the levy of taxes sufficient to pay the principal of and interest on the bonds.

SECTION 3. Polling Details.

A. One or more City election precincts are established for Election Day from 7:00 a.m. to 7:00 p.m. with one or more corresponding polling places as identified on Exhibit A to this Ordinance. As permitted by the Code, polling places may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election.

B. Exhibit A also includes the places, dates, and hours for early voting in person. As permitted by the Code, these details may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election. Applications for voting by mail should be received no later than the close of business on April 22, 2025. Applications should be sent to the Early Voting Clerk named below. If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original.

SECTION 4. Election Officials. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations will include a person fluent in the Spanish language.

A. The Administrator will appoint Presiding Judges, Alternate Presiding Judges, and Election Clerks.

B. The Early Voting Clerk is: John W. Oldham; mailing address: 301 Jackson St. Richmond, TX 77469; physical address: 4520 Reading Road, Ste. A-400 Rosenberg, TX 77471; phone: (281) 341-8670; fax: (281) 341-4418 ; and email: fpcavoter@fortbendcountytexas.gov. The Early Voting Clerk will appoint the Deputy Early Voting Clerks.

C. The Administrator is authorized to establish an Early Voting Ballot Board and to designate the Presiding Judge of the Early Voting Ballot Board and, if needed, the members of Signature Verification Committee.

D. The Administrator is authorized to use a Central Counting Station (the *Station*) if needed. The Administrator or the Administrator's designee is appointed as the Manager of the Station with the authority to appoint the Tabulation Supervisor, the Programmer, and any Clerks.

SECTION 5. Qualified Voters. The City's qualified voters (as defined by the Code) will be entitled to vote in the Election at the dates, times, and places reflected on Exhibit A.

SECTION 6. Legal Compliance. The Election and notice of Election will be held and conducted according to the Code and other applicable law. To the extent required by law, materials relating to the Election will be printed in English, Spanish, and any other required language.

SECTION 7. Debt Obligations. The following information is calculated based on bond market conditions as of the date of the adoption of this Ordinance; is further explained in one or more voter information documents attached to this Ordinance as exhibits; and is not intended to serve as a cap or other restriction should the bonds be authorized at the Election.

A. The aggregate amount of the outstanding principal of the City's debt totaled \$78,970,000 (including maintenance tax debt, if any).

B. The aggregate amount of the interest owed on the City's debt obligations, through respective maturity, totaled \$58,301,000.

C. The City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.040250 per \$100 of taxable assessed valuation.

D. The maturity date of the proposed bonds will not exceed the maximum number of years authorized by law.

E. The maximum interest rate for any series of bonds authorized at the Election is 4.75% (expressed as a net effective interest rate).

SECTION 8. Contracting Authority. The Council authorizes the Mayor, the City Manager, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, or similar contracts with the County, acting by and through the Administrator, and any Participants if desired or if required to comply with applicable law.

SECTION 9. Modifications. The Council acknowledges that information required to complete the Exhibits to this Ordinance may not be available when the Election is ordered, and the Council therefore authorizes the City Secretary, the City Manager, or their designees to correct, modify, or change the Exhibits to the extent permitted by applicable law. Additionally, the Council authorizes these individuals to make technical modifications to this Ordinance that are necessary for compliance with applicable law or to carry out the intent of the Council as evidenced in this Ordinance.

SECTION 10. Findings. The recitals contained in the preamble of this Ordinance are found to be true.

SECTION 11. Conflicts. All Ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance will be and remain controlling as to the matters ordered herein.

SECTION 12. Controlling Law. This Ordinance will be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. Open Meetings. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

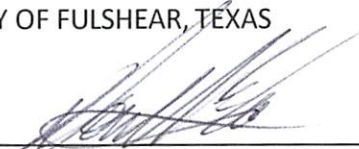
SECTION 14. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance remains effective.

SECTION 15. Effective Date. Pursuant to Section 1201.028, as amended, Texas Government Code, this Ordinance is effective immediately upon adoption, notwithstanding any provision in the City's Home Rule Charter to the contrary concerning a multiple reading requirement for the adoption of ordinances.

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PASSED AND APPROVED on February 4, 2025.

CITY OF FULSHEAR, TEXAS



Don McCoy
Mayor

ATTEST:



Katie Lewis
Assistant City Secretary

(CITY SEAL)



[Signature Page to Ordinance Calling a Bond Election]