

ORDINANCE NO. 726

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE SPECIAL BOND ELECTION OF THE CITY OF MANOR HELD ON NOVEMBER 7, 2023, ON PROPOSITIONS A, B, AND C, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, on August 16, 2023, the City Council (the “Council”) of the City of Manor, Texas (the “City”) called a special election (the “Election”) to be held on November 7, 2023, to authorize the approval by voters in the City of bonds for the purposes hereinafter identified; and

WHEREAS, pursuant to Chapter 67 of the Texas Election Code, the Council has reviewed and investigated all matters pertaining to this Election, including the calling, notices, election officers, holding and returns thereof; and

WHEREAS, the Council hereby canvasses the returns of this Election, at which there was submitted to all resident, qualified voters of the City for their action thereupon, the following propositions:

City of Manor Proposition A

“SHALL the City Council of the City of Manor, Texas, be authorized to issue general obligation bonds of the City in the aggregate principal amount of \$15,000,000 to provide funds for promoting economic development throughout the City, through (i) planning, designing, constructing, improving, extending and expanding public street, utility, and other infrastructure facilities, including the acquisition of land therefore, (ii) the City’s programs for economic development, including the acquisition of improved and unimproved properties and the demolition of existing structures, and (iii) making grants and loans of bond proceeds for private commercial, industrial, retail, and health care projects and facilities, workforce development programs, residential and mixed-use development, neighborhood revitalization projects, and mixed income development; such bonds of each series or issue, respectively, to mature serially or otherwise over a period not to exceed forty (40) years from their date, and to be issued in such installments and sold at such price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council under laws in effect at the time of issuance; and to provide for the payment of the principal of and interest on said bonds by levying and collecting annual ad valorem taxes upon all taxable property within the City in an amount sufficient to pay the annual interest on said bonds and to provide a sinking fund sufficient to pay said bonds as they become due?”

City of Manor Proposition B

“SHALL the City Council of the City of Manor, Texas, be authorized to issue general obligation bonds of the City in the aggregate principal amount of \$61,695,000 to provide funds for City parks and recreation purposes within the City through (i) planning, designing, renovating, constructing, developing, improving, expanding, furnishing, maintaining, and equipping a single new facility that will serve as a Recreation Center, and the acquisition of land therefore; and (ii) planning, designing, renovating, constructing, developing, improving, expanding, furnishing, maintaining, upgrading, and equipping parks, park facilities, and open spaces, including the acquisition of land therefore; such bonds of each series or issue, respectively, to mature serially or otherwise over a period not to exceed forty (40) years from their date, and to be issued in such installments and sold at such price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council under laws in effect at the time of issuance; and to provide for the payment of the principal of and interest on said bonds by levying and collecting annual ad valorem taxes upon all taxable property within the City in an amount sufficient to pay the annual interest on said bonds and to provide a sinking fund sufficient to pay said bonds as they become due?”

City of Manor Proposition C

“SHALL the City Council of the City of Manor, Texas, be authorized to issue general obligation bonds of the City in the aggregate principal amount of \$90,105,000 to provide funds for designing, planning, constructing, improving, upgrading, maintaining, and equipping a single new facility that will serve as a City Hall and Public Library, and the acquisition of land therefore; such bonds of each series or issue, respectively, to mature serially or otherwise over a period not to exceed forty (40) years from their date, and to be issued in such installments and sold at such price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council under laws in effect at the time of issuance; and to provide for the payment of the principal of and interest on said bonds by levying and collecting annual ad valorem taxes upon all taxable property within the City in an amount sufficient to pay the annual interest on said bonds and to provide a sinking fund sufficient to pay said bonds as they become due?”

WHEREAS, the Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made available to the Council by the election officials holding and conducting such Election; and the official election returns showing separately the votes cast in the Election; and,

WHEREAS, from these returns, the Council hereby finds that the following votes were cast in the Election by voters who were resident, qualified voters of the City as indicated on the election results which are attached as Exhibit “A” to this Ordinance, the totals of which are included below:

CITY OF MANOR PROPOSITION A

THE ISSUANCE OF \$15,000,000 OF CITY OF MANOR, TEXAS GENERAL OBLIGATION BONDS FOR ECONOMIC DEVELOPMENT PROJECTS WITHIN THE CITY, AND THE LEVY OF A TAX IN PAYMENT THEREOF.

VOTES CAST:

	<u>Early Voting</u>	<u>By Mail</u>	<u>Election Day</u>	<u>Vote %</u>	<u>Total</u>
For	241	4	319	69.29%	564
Against	107	2	141	30.71%	250

CITY OF MANOR PROPOSITION B

THE ISSUANCE OF \$61,695,000 OF CITY OF MANOR, TEXAS GENERAL OBLIGATION BONDS FOR PARKS, TRAILS, AND RECREATIONAL FACILITIES INCLUDING A NEW RECREATION CENTER, AND THE LEVY OF A TAX IN PAYMENT THEREOF.

VOTES CAST:

	<u>Early Voting</u>	<u>By Mail</u>	<u>Election Day</u>	<u>Vote %</u>	<u>Total</u>
For	245	5	323	70.05%	573
Against	103	2	140	29.95%	245

CITY OF MANOR PROPOSITION C

THE ISSUANCE OF \$90,105,000 OF CITY OF MANOR, TEXAS GENERAL OBLIGATION BONDS FOR A CITY HALL/PUBLIC LIBRARY FACILITY, AND THE LEVY OF A TAX IN PAYMENT THEREOF.

VOTES CAST:

	<u>Early Voting</u>	<u>By Mail</u>	<u>Election Day</u>	<u>Vote %</u>	<u>Total</u>
For	218	5	275	60.81%	498
Against	131	2	188	39.19%	321

NOW, THEREFORE, IT IS ACCORDINGLY FOUND, DECLARED, AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS THAT:

Section 1. Election; Returns; Canvass. The Council officially finds, determines, and declares that the Election was duly and properly conducted, that proper legal notice of such Election was duly given in the English language and the Spanish language (to the extent required by law), that proper election officers were duly appointed prior to the Election; that the Election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the Election, that due returns of the results of the Election have been made and delivered, and that the Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the ordinance calling the election.

Section 2. Preamble Incorporation. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as part of the judgment and findings of the Council.

Section 3. Election Results Propositions. A MAJORITY of the residents, qualified voters of the City voting in such Election, have voted **FOR** the authorization and issuance of an amount not to exceed \$15,000,000 in bonds and the levy and pledge of the tax in payment thereof, together with the costs of any credit agreements related thereto, as provided in the Proposition. The Council hereby finds that Proposition A **DID** carry at the Election and that the City is accordingly authorized to issue and sell the bonds in accordance with the authority granted in Proposition A and with law.

A MAJORITY of the residents, qualified voters of the City voting in such Election, have voted **FOR** the authorization and issuance of an amount not to exceed \$61,695,000 in bonds and the levy and pledge of the tax in payment thereof, together with the costs of any credit agreements related thereto, as provided in the Proposition. The Council hereby finds that Proposition B **DID** carry at the Election and that the City is accordingly authorized to issue and sell the bonds in accordance with the authority to issue and sell the bonds in accordance with the authority granted in Proposition B and with law.

A MAJORITY of the residents, qualified voters of the City voting in such Election, have voted **FOR** the authorization and issuance of an amount not to exceed \$90,105,000 in bonds and the levy and pledge of the tax in payment thereof, together with the costs of any credit agreements related thereto, as provided in the Proposition. The Council hereby finds that Proposition C **DID** carry at the Election and that the City is accordingly authorized to issue and sell the bonds in accordance with the authority granted in Proposition C and with law.

Section 4. Inconsistent Provisions. 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 shall be and remain controlling as to the matters ordered herein.

Section 5. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. **Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. **Notice of Meeting.** The Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted on a bulletin board located at a place convenient to the public at the City's administrative offices for at least 72 hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the City in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon.

Section 8. **Authorization to Execute.** The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 9. **Effective Date.** This Ordinance is effective immediately upon its passage and approval.

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PASSED AND APPROVED on this _____ day of November 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

[SIGNATURE PAGE]

EXHIBIT A

Election Results

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
126 126 A	1,357	132	9.73%
127 127 B	2,268	236	10.41%
142 142 B	127	7	5.51%
143 143 B	2,149	180	8.38%
144 144 A	2,445	245	10.02%
145 145 C	169	26	15.38%
490 490 B	4	0	0%
Totals	8,519	826	

	City of Manor Proposition A					City of Manor Proposition B				
	VOTE FOR 1					VOTE FOR 1				
	For	Against	Total Votes Cast	Overvotes	Undervotes	For	Against	Total Votes Cast	Overvotes	Undervotes
126 126 A	97	34	131	0	1	93	38	131	0	1
127 127 B	150	84	234	0	2	149	87	236	0	0
142 142 B	5	2	7	0	0	5	2	7	0	0
143 143 B	130	49	179	0	1	133	47	180	0	0
144 144 A	169	70	239	0	6	176	62	238	0	7
145 145 C	13	11	24	0	2	17	9	26	0	0
490 490 B	0	0	0	0	0	0	0	0	0	0
Totals	564	250	814	0	12	573	245	818	0	8

	City of Manor Proposition C				
	VOTE FOR 1				
	For	Against	Total Votes Cast	Overvotes	Undervotes
126 126 A	84	46	130	0	2
127 127 B	128	108	236	0	0
142 142 B	5	2	7	0	0
143 143 B	109	70	179	0	1
144 144 A	155	87	242	0	3
145 145 C	17	8	25	0	1
490 490 B	0	0	0	0	0
Totals	498	321	819	0	7

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	564	69.29%	4	241	319
Against	250	30.71%	2	107	141
Total Votes Cast	814	100.00%	6	348	460

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	573	70.05%	5	245	323
Against	245	29.95%	2	103	140
Total Votes Cast	818	100.00%	7	348	463

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	498	60.81%	5	218	275
Against	321	39.19%	2	131	188
Total Votes Cast	819	100.00%	7	349	463

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	4,818			
Ballots Cast - Total	518	4	224	290

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	97	73.48%	2	38	57
Against	34	25.76%	1	14	19
Total Votes Cast	131	99.24%	3	52	76
Overvotes	0	0.00%	0	0	0
Undervotes	1	0.76%	0	0	1

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	93	70.45%	2	35	56
Against	38	28.79%	1	17	20
Total Votes Cast	131	99.24%	3	52	76
Overvotes	0	0.00%	0	0	0
Undervotes	1	0.76%	0	0	1

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	84	63.64%	2	36	46
Against	46	34.85%	1	16	29
Total Votes Cast	130	98.48%	3	52	75
Overvotes	0	0.00%	0	0	0
Undervotes	2	1.52%	0	0	2

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	4,176			
Ballots Cast - Total	377	3	164	210

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	150	63.56%	1	75	74
Against	84	35.59%	0	37	47
Total Votes Cast	234	99.15%	1	112	121
Overvotes	0	0.00%	0	0	0
Undervotes	2	0.85%	0	1	1

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	149	63.14%	1	72	76
Against	87	36.86%	0	41	46
Total Votes Cast	236	100.00%	1	113	122
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	128	54.24%	1	60	67
Against	108	45.76%	0	53	55
Total Votes Cast	236	100.00%	1	113	122
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	3,796			
Ballots Cast - Total	512	6	189	317

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	5	71.43%	0	2	3
Against	2	28.57%	0	1	1
Total Votes Cast	7	100.00%	0	3	4
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	5	71.43%	0	2	3
Against	2	28.57%	0	1	1
Total Votes Cast	7	100.00%	0	3	4
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	5	71.43%	0	2	3
Against	2	28.57%	0	1	1
Total Votes Cast	7	100.00%	0	3	4
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	4,424			
Ballots Cast - Total	351	2	163	186

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	130	72.22%	1	54	75
Against	49	27.22%	0	22	27
Total Votes Cast	179	99.44%	1	76	102
Overvotes	0	0.00%	0	0	0
Undervotes	1	0.56%	1	0	0

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	133	73.89%	2	59	72
Against	47	26.11%	0	17	30
Total Votes Cast	180	100.00%	2	76	102
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	109	60.56%	2	46	61
Against	70	38.89%	0	29	41
Total Votes Cast	179	99.44%	2	75	102
Overvotes	0	0.00%	0	0	0
Undervotes	1	0.56%	0	1	0

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	2,542			
Ballots Cast - Total	252	1	96	155

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	169	68.98%	0	64	105
Against	70	28.57%	1	26	43
Total Votes Cast	239	97.55%	1	90	148
Overvotes	0	0.00%	0	0	0
Undervotes	6	2.45%	0	2	4

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	176	71.84%	0	67	109
Against	62	25.31%	1	21	40
Total Votes Cast	238	97.14%	1	88	149
Overvotes	0	0.00%	0	0	0
Undervotes	7	2.86%	0	4	3

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	155	63.27%	0	63	92
Against	87	35.51%	1	27	59
Total Votes Cast	242	98.78%	1	90	151
Overvotes	0	0.00%	0	0	0
Undervotes	3	1.22%	0	2	1

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STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	2,283			
Ballots Cast - Total	243	5	94	144

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	13	50.00%	0	8	5
Against	11	42.31%	0	7	4
Total Votes Cast	24	92.31%	0	15	9
Overvotes	0	0.00%	0	0	0
Undervotes	2	7.69%	0	1	1

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	17	65.38%	0	10	7
Against	9	34.62%	0	6	3
Total Votes Cast	26	100.00%	0	16	10
Overvotes	0	0.00%	0	0	0
Undervotes	0	0.00%	0	0	0

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	17	65.38%	0	11	6
Against	8	30.77%	0	5	3
Total Votes Cast	25	96.15%	0	16	9
Overvotes	0	0.00%	0	0	0
Undervotes	1	3.85%	0	0	1

490

STATISTICS

	TOTAL	By Mail	Early Voting	Election Day
Registered Voters - Total	3,448			
Ballots Cast - Total	306	8	136	162

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	0		0	0	0
Against	0		0	0	0
Total Votes Cast	0		0	0	0
Overvotes	0		0	0	0
Undervotes	0		0	0	0

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	0		0	0	0
Against	0		0	0	0
Total Votes Cast	0		0	0	0
Overvotes	0		0	0	0
Undervotes	0		0	0	0

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day
For	0		0	0	0
Against	0		0	0	0
Total Votes Cast	0		0	0	0
Overvotes	0		0	0	0
Undervotes	0		0	0	0