

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON MAY 6, 2023, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE DISTRICT COMPRISING THE TOWN OF PROSPER A REFERENDUM ON THE CONTINUATION OF THE TOWN OF PROSPER CRIME CONTROL AND PREVENTION DISTRICT FOR TWENTY (20) YEARS AND A SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT DEDICATED TO CRIME CONTROL AND PREVENTION PROGRAMS, AND A REFERENDUM ON THE CONTINUATION OF THE TOWN OF PROSPER FIRE CONTROL, PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT FOR TWENTY (20) YEARS AND A SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT DEDICATED TO FIRE SAFETY AND EMERGENCY MEDICAL SERVICES PROGRAMS; MAKING FINDINGS; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Prosper, Texas ("Town Council"), issued an order on February 14, 2023, directing that a Special Election be held on May 6, 2023, for the purpose submitting to the qualified voters of the district comprising the Town of Prosper a referendum on the continuation of the Town of Prosper Crime Control and Prevention District for twenty (20) years and a sales and use tax at the rate of one-fourth of one percent dedicated to crime control and prevention programs, and a referendum on the continuation of the Town of Prosper Fire Control, Prevention and Emergency Medical Services District for twenty (20) years and a sales and use tax at the rate of one-fourth of one percent dedicated to fire safety and emergency medical services programs; and

**WHEREAS**, the Collin County Elections Administrator and the Denton County Elections Administrator that held said Special Election have duly made the returns of the results thereof, and said returns have been duly delivered to this Town Council; and

**WHEREAS**, the Town Council finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that the public notice of the time, place and purpose of the meeting was given as required by Vernon's Ann. Texas Government Code, Section 551.041, as amended; and

**WHEREAS**, notice of the special election was properly given by the Town as required by law; and

**WHEREAS**, said election was duly and legally held on May 6, 2023, in the Town and in conformity with the election laws of the State of Texas, and the results of said election have been certified and returned by the proper judge and clerks thereof; and

**WHEREAS**, the Town Council has considered the returns of said election held on May 6, 2023.

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

## **SECTION 1**

All of the above premises are hereby found to be true and correct factual and legislative determinations of the Town of Prosper and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

## **SECTION 2**

The canvass of the returns of the Special Election held on May 6, 2023, reflects that the following results of Proposition A and Proposition B with Exhibit 'A' reflecting tabulation of votes by precinct for Collin County and Exhibit 'B' reflecting tabulation of votes by precinct for Denton County.

<b>Proposition A - Crime Control &amp; Prevention District</b>						
<b>Combined Totals</b>						
	Early Voting	Early Voting	Election Day	Provisional	Total	Vote %
	In-Person	Mail	In-Person	Ballots		
In Favor	2,328	9	625	0	2,962	90.55%
Against	224	0	85	0	309	9.45%
Totals	2,552	9	710	0	3,271	100.00%
Overvotes	0	0	0	0	0	
Undervotes	158	1	41	0	200	
<b>Proposition B - Fire Control, Prevention &amp; Emergency Medical Services District</b>						
<b>Combined Totals</b>						
	Early Voting	Early Voting	Election Day	Early Voting	Total	Vote %
	In-Person	Mail	In-Person	Provisional		
In Favor	2,373	9	642	0	3,024	92.05%
Against	194	0	67	0	261	7.95%
Totals	2,567	9	709	0	3,285	100.00%
Overvotes	0	0	0	0	0	
Undervotes	143	1	42	0	186	

## **SECTION 3**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

## **SECTION 4**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby

declares that is would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 5**

This Ordinance shall be effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS THE 16TH DAY OF MAY, 2023.**

**APPROVED:**

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**David F. Bristol, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM:**

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**Terrence S. Welch, Town Attorney**

**EXHIBIT “A”**  
**Collin County Precinct Report(s)**

**EXHIBT “B”**  
**Denton County Precinct Report(s)**