

AN ORDINANCE OF THE TOWN OF PROSPER, TEXAS, CALLING A BOND ELECTION TO BE HELD ON NOVEMBER 4, 2025, A UNIFORM ELECTION DATE; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council (the "Council") of the Town of Prosper, Texas (the "Town") deems it advisable to call the bond election hereinafter ordered (the "Election"); and

WHEREAS, the bond referendum is held in accordance with the provisions of Chapter 1251, Texas Government Code, and various provisions of the Texas Election Code (the "Code"), including Section 42.002 of the Code, and the Town is contracting with Collin County, Texas, and Denton County, Texas (individually, a "County" and collectively, the "Counties") for the administration of the Election pursuant to separate interlocal agreements with each County (individually, an "Election Contract" and collectively, the "Election Contracts"); and

WHEREAS, the Counties, acting through each of the Collin County Elections Administrator and the Denton County Elections Administrator (individually, an "Elections Administrator" and collectively, the "Elections Administrators") in accordance with each respective Election Contract, will provide for the administration of the Election; 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 the meeting was given, all as required by Chapter 551, Texas Government Code;

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

Section 1. Findings. The statements contained in the preambles of this Ordinance are true and correct and adopted as findings of fact and operative provisions hereof.

Section 2. Election Ordered; Polling Places. The Election shall be held in the Town between the hours of 7:00 a.m. and 7:00 p.m. on November 4, 2025 ("Election Day"). The Election is to be conducted by the Counties, as provided by Chapter 271, Texas Election Code (the "Code"), and the Election Contracts. On Election Day, voting for the Election shall occur during the hours stated above at the designated polling places as set forth in **Exhibit A** attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places required to conform to the Election Contracts and the Code.

Section 3. Early Voting. Early voting shall be administered by the Counties. Early voting by personal appearance shall begin on October 20, 2025 and conclude on October 31, 2025, and will be conducted at the Early Voting locations on the dates and at the times specified in **Exhibit B** attached hereto. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the Town at such voting place. **Exhibit B** shall be modified to include additional or different early voting polling places required to conform to the Election Contracts and the Code.

Section 4. Election Officials. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrators in accordance with the Election Contracts and the Code. The Elections Administrators may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient

tabulation of ballots at the central counting station. The Council hereby authorizes the Mayor, the Mayor Pro Tem, the Town Manager, the Deputy Town Manager, the Finance Director and the Town Secretary to execute or attest on behalf of the Town the Election Contracts with the Counties.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the Town shall be submitted as follows:

(a) Applications for voting by mail for all residents of the Town residing in Collin County shall be submitted, prior to the applicable deadline prescribed by law, by (i) personal delivery to Collin County Elections Department, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069; (ii) mail to Collin County Early Voting Clerk, Elections Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069; (iii) by facsimile to (972) 547-1996; or (iv) by email to absenteemailballoting@collincountytexas.gov. If submitted by facsimile or email, a hard copy of the application must be mailed to the foregoing address within four days of sending the facsimile or email.

(b) Applications for voting by mail for all residents of the Town residing in Denton County shall be submitted, prior to the applicable deadline prescribed by law, by (i) personal delivery or contract carrier to Early Voting Clerk, Denton County Elections, 701 Kimberly Drive, Denton, Texas 76208; (ii) mail to Denton County Early Voting Clerk, P.O. Box 1720, Denton, Texas 76202; (iii) by facsimile to (940) 349-3201; or (iv) by email to elections@dentoncountytexas.gov. If submitted by facsimile or email, a hard copy of the application must be mailed to the foregoing address within four days of sending the facsimile or email.

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrators. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the Town, shall be entitled to vote at the Election.

Section 8. Propositions. At the Election the following PROPOSITIONS shall be submitted in accordance with law:

Town of Prosper, Texas Special Election Proposition A

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$84,300,000 for the purpose of designing, constructing, reconstructing, improving, extending, expanding, upgrading and developing streets, roads, sidewalks, thoroughfares and related improvements in the Town, including pedestrian right of ways, related drainage, utility relocation, signalization, landscaping, lighting, and signage, and the purchase of land, any necessary rights-of-way and other costs related to such street and road projects; 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 Town 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 Town 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?

Town of Prosper, Texas Special Election Proposition B

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$29,000,000 for the purpose of constructing, installing, acquiring and equipping additions, extensions, renovations and improvements to the police headquarters, with any surplus proceeds remaining after completion of such project to be used for the construction, acquisition, renovation and equipment of other public safety facilities in the Town; 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 Town 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 Town 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?

Town of Prosper, Texas Special Election Proposition C

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$34,200,000 for the purpose of constructing and equipping a new library facility separate from Town Hall with any excess funds used to assist in the relocation of existing library from Town Hall; 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 Town 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 Town 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?

Town of Prosper, Texas Special Election Proposition D

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$24,000,000 for the purpose of enhancing current Parks and Recreation offerings by designing, constructing, improving, equipping of parks, trails, bridges and sports fields and courts and other recreational facilities; 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 Town 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 Town 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?

Town of Prosper, Texas Special Election Proposition E

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$10,000,000 for the purpose of designing, constructing and equipping a permanent public works and parks service center at the current service center location; 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 Town 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 Town 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?

Town of Prosper, Texas Special Election Proposition F

Shall the Town Council of the Town of Prosper, Texas, be authorized to issue and sell the bonds of said Town, in one or more series or issues, in the aggregate principal amount of \$2,300,000 for the purpose of repairing, preserving and improving the three historic silos located west of the railroad tracks and to the southwest of the end of Broadway Street; 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 Town 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 Town 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?

Section 9. Ballots. The official ballots for the Election shall be prepared in accordance with the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITIONS, with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITIONS to be expressed substantially as follows:

Town of Prosper, Texas Special Election Proposition A

		) THIS IS A PROPERTY TAX INCREASE; the issuance of \$84,300,000 of
		) bonds by the Town of Prosper, Texas, for the purpose of designing,
		) constructing, reconstructing, improving, extending, expanding, upgrading and
For	_____	) developing streets, roads, sidewalks, thoroughfares and related improvements
		) in the Town, including pedestrian right of ways, related drainage, utility
Against	_____	) relocation, signalization, landscaping, lighting, and signage, and the purchase
		) of land, any necessary rights-of-way and other costs related to such street and
		) road projects, and the levy of taxes sufficient to pay the principal of and interest
		) on the bonds.

Town of Prosper, Texas Special Election Proposition B

		) THIS IS A PROPERTY TAX INCREASE; the issuance of \$29,000,000 of
		) bonds by the Town of Prosper, Texas, for the purpose of constructing,
For	_____	) installing, acquiring and equipping additions, extensions, renovations and
		) improvements to the police headquarters, with any surplus proceeds remaining
Against	_____	) after completion of such project to be used for the construction, acquisition,
		) renovation and equipment of other public safety facilities in the Town, and the
		) levy of taxes sufficient to pay the principal of and interest on the bonds.

Town of Prosper, Texas Special Election Proposition C

For	_____	) THIS IS A PROPERTY TAX INCREASE; the issuance of \$34,200,000 of
		) bonds by the Town of Prosper, Texas, for the purpose of constructing and
		) equipping a new library facility separate from Town Hall with any excess
Against	_____	) funds used to assist in the relocation of existing library from Town Hall, and
		) the levy of taxes sufficient to pay the principal of and interest on the bonds.

Town of Prosper, Texas Special Election Proposition D

		) THIS IS A PROPERTY TAX INCREASE; the issuance of \$24,000,000 of
For	_____	) bonds by the Town of Prosper, Texas, for the purpose of enhancing current
		) Parks and Recreation offerings by designing, constructing, improving,
		) equipping of parks, trails, bridges and sports fields and courts and other
Against	_____	) recreational facilities, and the levy of taxes sufficient to pay the principal of
		) and interest on the bonds.

Town of Prosper, Texas Special Election Proposition E

		) THIS IS A PROPERTY TAX INCREASE; the issuance of \$10,000,000 of
For	_____	) bonds by the Town of Prosper, Texas, for the purpose of designing,
		) constructing and equipping a permanent public works and parks service center
Against	_____	) at the current service center location, and the levy of taxes sufficient to pay the
		) principal of and interest on the bonds.

Town of Prosper, Texas Special Election Proposition F

		) THIS IS A PROPERTY TAX INCREASE; the issuance of \$2,300,000 of
For	_____	) bonds by the Town of Prosper, Texas, for the purpose of repairing, preserving
		) and improving the three historic silos located west of the railroad tracks and to
Against	_____	) the southwest of the end of Broadway Street, and the levy of taxes sufficient
		) to pay the principal of and interest on the bonds.

Section 10. Compliance with State and Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The Town hereby finds that the voting system to be used by the Elections Administrators in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the Town in its elections.

Section 11. Debt Obligations. The following information is provided in accordance with the provisions of Section 3.009(b) of the Code.

- (a) The proposition language that will appear on the ballot is set forth in Section 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.

(c) The principal amount of the debt obligations to be authorized is set forth in Sections 8 and 9 hereof.

(d) If the bonds are approved by the voters, the Council will be authorized to levy annual ad valorem taxes, on all taxable property in the Town, sufficient, within the limits prescribed by law, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.

(e) Based upon the bond market conditions at the date of adoption of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 5.00%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

(f) The bonds that are the subject of the Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the Town estimates that, based on current bond market conditions, such bonds will amortize over a 20-year period from their respective date of issue.

(g) The aggregate amount of the outstanding principal of the Town's debt obligations which are secured by ad valorem taxes as of the date of this Ordinance is \$236,755,000.

(h) The aggregate amount of the outstanding interest of the Town's debt obligations which are secured by ad valorem taxes as of the date of this Ordinance is \$85,618,791.

(i) The ad valorem debt service tax rate for the Town as of the date of this Ordinance is \$0.180392 per \$100 of taxable assessed valuation.

(j) The website for the Town (as the authority conducting the Election) is <https://www.prosper.tx.gov> and the website for the Counties (as the entities administering the Election) are <https://www.collincountytx.gov/Elections> (Collin County) and <https://www.votedenton.gov> (Denton County).

Section 12. Necessary Actions. The Mayor, the Town Secretary, the Town Manager, the Deputy Town Manager and the Finance Director, or their designees, in consultation with the Town's Attorney and bond counsel are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

Section 13. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Town Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 14. Effective Date. This Ordinance shall take effect immediately upon its passage and approval.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE
TOWN OF PROSPER, TEXAS, ON THIS 12TH DAY OF AUGUST, 2025.**

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney

(Town Seal)

Ordinance Calling a Bond Election

Exhibit A

Election Day Polling Places and Hours

November 4, 2025

7:00 am - 7:00 pm

To be updated to conform to Election Contracts

Exhibit B

Early Voting Polling Locations, Dates and Hours

To be updated to conform to Election Contracts