ORDINANCE NO. 2012-321

AN ORDINANCE CANVASSING ELECTION RETURNS OF THE BOND ELECTION HELD ON NOVEMBER 6, 2012; AND PROVIDING FOR AN EFFECTIVE DATE.

THE STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF DENTON §

WHEREAS, the City Council of the City of Denton, Texas ("City") ordered an election to be held in the City on November 6, 2012 for the approval or disapproval of general obligation bonds on the PROPOSITION hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to this election, including the ordering, giving notice, officers, holding and making returns of this election; and

WHEREAS, the election officers who held the election have duly made the returns of the result thereof, and these returns have been duly delivered to the City Council; and

WHEREAS, it is hereby officially found and determined that the meeting at which this ordinance was passed 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; NOW, THEREFORE;

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. That the City Council officially finds and determines that the election held on November 6, 2012 was duly ordered, that proper notice of this election was duly given, that proper election officers were duly appointed prior to this election, that this election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that the returns of the result of this election have been made and delivered to the Council, and that the City Council has duly canvassed these returns, all in accordance with the law and the ordinance calling this election.

SECTION 2. That the official returns of the election officials having been opened, examined, and canvassed and the City Council officially finds and determines that 32,331 votes were cast at this election on the submitted PROPOSITION by the resident, qualified electors of the City, who voted at the election and that the votes cast for such proposition on the ballot for the bond election were as follows:

EARLY/ABSENTEE VOTING:

PROPOSITION NO. 1

  17,162  FOR   )
  5,097  AGAINST  
THE ISSUANCE OF $20,400,000 OF PUBLIC SECURITIES FOR STREET IMPROVEMENTS WITH UP TO $400,000 OF SUCH AMOUNT FOR RELATED PUBLIC ART IMPROVEMENTS
REGULAR VOTING: PROPOSITION NO. 1

8,092 FOR )

THE ISSUANCE OF $20,400,000 OF PUBLIC SECURITIES FOR STREET IMPROVEMENTS WITH UP TO $400,000 OF SUCH AMOUNT FOR RELATED PUBLIC ART IMPROVEMENTS

1,980 AGAINST )

TOTAL VOTES CAST: PROPOSITION NO. 1

25,254 FOR )

THE ISSUANCE OF $20,400,000 OF PUBLIC SECURITIES FOR STREET IMPROVEMENTS WITH UP TO $400,000 OF SUCH AMOUNT FOR RELATED PUBLIC ART IMPROVEMENTS

7,077 AGAINST )

SECTION 3. That the City Council officially finds, determines, and declares the result of said election to be that PROPOSITION NO. 1 so submitted has received a favorable majority vote in all respects and has carried.

SECTION 4. That the aforesaid bonds may be issued as voted and as provided by law.

SECTION 5. That this ordinance shall become effective immediately upon its passage and approval.
PASSED, APPROVED AND EFFECTIVE this the 19th day of November, 2012.

MAYOR, CITY OF DENTON

ATTEST:

CITY SECRETARY, CITY OF DENTON

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY

BOND ATTORNEYS
CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS §
COUNTY OF DENTON §§
CITY OF DENTON §§

We, the undersigned officers of said City, hereby certify as follows:

1. The City Council of said City convened in SPECIAL MEETING ON THE 19TH DAY OF NOVEMBER, 2012, at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to wit:

   Mark Burroughs, Mayor
   Kevin Roden
   Dalton Gregory
   Jim Engelbrecht
   Pete Kamp, Mayor Pro Tem
   Chris Watts
   James King

and all of said persons were present, except Council members King and Watts, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting:

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was duly introduced for the consideration of said City Council and read in full. 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 by the following vote:

   AYES: 5   NOES: 0   ABSTENTIONS: 0

2. That 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; that said Ordinance has been duly recorded in said City Council’s minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council’s minutes of said Meeting pertaining to the passage of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City 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. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said 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 the 19th day of November, 2012.

MARK A. BURROUGHS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: Jennifer Walters