



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Special
Called Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, November 17, 2020
7:30 AM

Call to Order/ Roll Call.

Items for Individual Consideration:

1. Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, General Election. **(ML)**
2. Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, Bond Election. **(ML)**
3. Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, Local Option Election. **(ML)**

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, November 13, 2020, and remained so posted at least 72 hours before said meeting was convened.

Melissa Lee, Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



TOWN SECRETARY'S OFFICE

To: Mayor and Town Council

From: Melissa Lee, Town Secretary

**Through: Harlan Jefferson, Town Manager
 Robyn Battle, Executive Director of Community Services**

Re: Special Called Town Council Meeting – November 17, 2020

Agenda Item:

Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, General Election **(ML)**

Description of Agenda Item:

The Town of Prosper held a General Election on November 3, 2020, in accordance with the Texas Election Code.

The following are the unofficial tabulation of results:

Place/Candidate	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
<u>Town Council, Place 3</u> Amy Bartley	8,482	1,744	10,226	100.00%
<u>Town Council, Place 5</u> Jeff Hodges Steve Thomas	5,464 2,599	1,170 724	6,634 3,323	66.63% 33.37%

The Collin County and Denton County Election Administrations will provide certified results, including any provisional ballots, no later than Monday, November 16, 2020.

Amy Bartley ran unopposed in the General Election; therefore, she is automatically elected to the position of Town Council, Place 3.

The Town Charter states that the candidate for elective office receiving a majority of the votes cast shall be declared the winner; therefore, as the Town Secretary of the Town of Prosper, I certify that Jeff Hodges has been duly elected to Town Council, Place 5.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance
2. Unofficial Tabulation of Results

Town Staff Recommendation:

Town staff recommends that the Town Council adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, General Election.

Proposed Motion:

I make a motion to adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, General Election.

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2020-82

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING TOWN COUNCIL PLACE 3 AND TOWN COUNCIL PLACE 5; 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 11, 2020, directing that a General Election be held on May 2, 2020, for the purpose of electing Town Council Place 3 and Town Council Place 5; and

WHEREAS, on or about March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) posed an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster in every county in the State of Texas; and

WHEREAS, on or about March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone general and special elections to the next uniform election date, November 3, 2020; and

WHEREAS, it is pursuant to the authority of the Governor's March 13, 2020, disaster declaration and the March 18, 2020, proclamation, the Town postponed the Town Council General Election in the Town from Saturday, May 2, 2020, to Tuesday, November 3, 2020; and

WHEREAS, the Collin County Elections Administrator and the Denton County Elections Administrator that held said General 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 General Election was properly given by the Town as required by law; and

WHEREAS, said General Election was duly and legally held on November 3, 2020, in the Town and in conformity with the election laws of the State of Texas, and the results of said General Election have been certified and returned by the proper judge and clerks thereof; and

WHEREAS, the Town Council has considered the returns of said General Election held on November 3, 2020.

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

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 official canvass of the returns of the General Election reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

Place/Candidate	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
<u>Town Council, Place 3</u> Amy Bartley	8,482	1,744	10,226	100.00%
<u>Town Council, Place 5</u> Jeff Hodges	5,464	1,170	6,634	66.63%
Steve Thomas	2,599	724	3,323	33.37%

The canvass of the returns of the General Election held on November 3, 2020, reflects that the following persons were duly elected to the respective position shown:

Town Council Place 3: Amy Bartley
Town Council Place 5: Jeff Hodges

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 17TH DAY OF NOVEMBER, 2020.

APPROVED:

Ray Smith, Mayor

ATTEST:

Melissa Lee, Town Secretary

APPROVED AS TO FORM:

Terrence S. Welch, Town Attorney



Prosper is a place where everyone matters.

**UNOFFICIAL TABULATION OF RESULTS
TOWN OF PROSPER
GENERAL ELECTION, BOND ELECTION &
LOCAL OPTION ELECTION
NOVEMBER 3, 2020**

General Election				
Place/Candidate	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
Town Council, Place 3				
Amy Bartley	8482	1744	10226	100.00%
Town Council, Place 5				
Jeff Hodges	5464	1170	6634	66.63%
Steve Thomas	2599	724	3323	33.37%

Bond Election				
Proposition	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
Proposition A				
For	9249	1912	11161	77.74%
Against	2535	660	3195	22.26%
Proposition B				
For	8717	1852	10569	73.76%
Against	3031	728	3759	26.24%
Proposition C				
For	9189	2048	11237	78.50%
Against	2551	527	3078	21.50%

Local Option Election				
Proposition D	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
For	6588	1546	8134	56.56%
Against	5198	1049	6247	43.44%
Proposition E				
For	9411	2163	11574	80.68%
Against	2336	436	2772	19.32%

This is an unofficial tabulation of the election results. The Early Voting Ballot Board will process provisional ballots by Monday, November 16, 2020, to determine if they will be accepted or rejected.

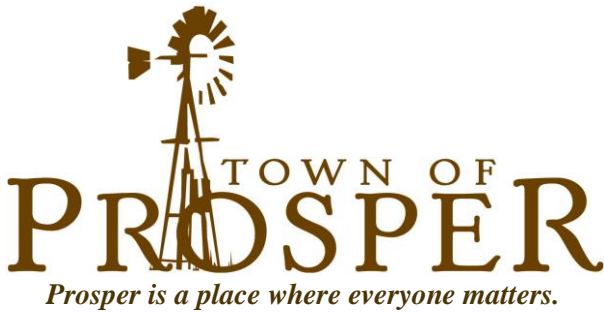
Results remain unofficial until the official canvass is conducted at 7:30 a.m. on Tuesday, November 17, 2020.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Unofficial Tabulation of Results was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said notice was posted at 8:00 a.m. on November 4, 2020.

/s/ Melissa Lee, Town Secretary

Date Notice Removed



TOWN SECRETARY'S OFFICE

To: Mayor and Town Council

From: Melissa Lee, Town Secretary

**Through: Harlan Jefferson, Town Manager
 Robyn Battle, Executive Director of Community Services**

Re: Special Called Town Council Meeting – November 17, 2020

Agenda Item:

Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, Bond Election. **(ML)**

Description of Agenda Item:

The Town of Prosper held a Bond Election on November 3, 2020.

The following are the unofficial tabulation of results:

Proposition	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
<u>Proposition A</u>				
For	9,249	1,912	11,161	77.74%
Against	2,535	660	3,195	22.26%
<u>Proposition B</u>				
For	8,717	1,852	10,569	73.76%
Against	3,031	728	3,759	26.24%
<u>Proposition C</u>				
For	9,189	2,048	11,237	78.50%
Against	2,551	527	3,078	21.50%

The Collin County and Denton County Election Administrations will provide certified results, including any provisional ballots, no later than Monday, November 16, 2020.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance
2. Unofficial Tabulation of Results

Town Staff Recommendation:

Town staff recommends that the Town Council adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, Bond Election.

Proposed Motion:

I make a motion to adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, Bond Election.

CERTIFICATE WITH RESPECT TO ADOPTION OF AN ORDINANCE

THE STATE OF TEXAS §
COUNTIES OF COLLIN AND DENTON §
TOWN OF PROSPER §

We, the undersigned members of the Town Council of the Town of Prosper, Texas (the "Town Council"), hereby certify as follows:

1. The Town Council convened in a SPECIAL MEETING ON NOVEMBER 17, 2020, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Town Council, to wit:

- Ray Smith, Mayor
- Curry Vogelsang, Jr., Mayor Pro-Tem
- Jason Dixon, Deputy Mayor Pro-Tem
- Craig Andres
- Jeff Hodges
- Meigs Miller
- Marcus E. Ray

Melissa Lee, Town Secretary

and all of the persons were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: the written

ORDINANCE NO. 2020-83 BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CANVASSING A TOWN BOND ELECTION

was duly introduced for the consideration of the Town Council. It was then duly moved and seconded that the Ordinance be passed; and, after due discussion, the motion, carrying with it the passage of the Ordinance, prevailed and carried by the following vote:

- AYES: All members of said Town Council shown present above voted "Aye," except as noted below:
- NOES: None
- ABSTAIN: None

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 the Ordinance has been duly recorded in the Town Council' minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Town Council' minutes of the Meeting pertaining to the passage of the Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Town Council as indicated therein; that each of the officers and members of the Town Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Ordinance would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED this, the 17th day of November, 2020

Town Secretary

Mayor

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2020-83

ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CANVASSING A TOWN BOND ELECTION

WHEREAS, this Town Council ordered an election to be held in said Town on November 3, 2020 on the PROPOSITIONS hereinafter stated; and

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

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to this Town Council.

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 said 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:

1. The Town Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the Town has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the Town Council has duly canvassed said returns, all in accordance with law and the Ordinance calling said election.

2. The Town Council officially finds and determines that the following votes were cast at said election, on the submitted Propositions by the resident, qualified electors of the Town, who voted at the election:

TOWN OF PROSPER, TEXAS SPECIAL ELECTION
TOWN OF PROSPER, TEXAS PROPOSITION A

FOR _____ THE ISSUANCE OF \$30,000,000 TAX BONDS BY THE TOWN OF PROSPER, TEXAS FOR PUBLIC SAFETY FACILITIES IN THE TOWN, CONSISTING OF FIRE STATIONS, AN EMERGENCY OPERATIONS CENTER, A PUBLIC SAFETY TRAINING FACILITY AND ADMINISTRATIVE FACILITIES RELATING THERETO. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED.

TOWN OF PROSPER, TEXAS SPECIAL ELECTION
TOWN OF PROSPER, TEXAS PROPOSITION B

FOR _____ THE ISSUANCE OF \$30,000,000 TAX BONDS BY THE TOWN OF PROSPER, TEXAS FOR EQUIPPING PARKS, TRAILS AND RECREATIONAL FACILITIES IN THE TOWN AND THE ACQUISITION OF LAND AND INTERESTS IN LAND FOR SUCH PURPOSES. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED.

TOWN OF PROSPER, TEXAS SPECIAL ELECTION
TOWN OF PROSPER, TEXAS PROPOSITION C

FOR _____

THE ISSUANCE OF \$150,000,000 TAX BONDS BY THE TOWN OF PROSPER, TEXAS FOR CONSTRUCTING, IMPROVING, EXTENDING, EXPANDING, UPGRADING AND DEVELOPING STREETS AND ROADS, BRIDGES AND INTERSECTIONS IN THE TOWN AND RELATED DRAINAGE IMPROVEMENTS, UTILITY RELOCATIONS, LANDSCAPING, CURBS AND SIDEWALKS, TRAFFIC SAFETY AND OPERATIONAL IMPROVEMENTS, ENTRYWAY SIGNAGE AND OTHER STREET AND ROAD SIGNAGE AND COSTS ASSOCIATED WITH SUCH PROJECTS, AND INTERESTS IN LAND AS MAY BE NECESSARY FOR SUCH PURPOSES; PROVIDED THAT THE FOLLOWING PROJECTS ARE PLANNED TO BE COMPLETED THROUGH FUNDING FROM OTHER OBLIGATIONS OF THE TOWN AND THEREFORE NO PROCEEDS OF THE BONDS MAY BE USED FOR IMPROVEMENTS TO FRONTIER PARKWAY FROM THE DALLAS NORTH TOLLWAY TO PRESTON ROAD, THE DALLAS NORTH TOLLWAY OVERPASS AT HIGHWAY 380 AND FISHTRAP ROAD FROM TEEL PARKWAY TO STUBER ELEMENTARY SCHOOL. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED.

AGAINST _____

3. The Town Council officially finds, determines and declares the result of said election to be that each of the aforesaid Propositions has received a favorable majority vote, and that such Propositions therefore have passed, and that the bonds authorized by the aforesaid Propositions may be issued and the aforesaid bond tax supporting said bonds may be levied by the Town.



Prosper is a place where everyone matters.

**UNOFFICIAL TABULATION OF RESULTS
TOWN OF PROSPER
GENERAL ELECTION, BOND ELECTION &
LOCAL OPTION ELECTION
NOVEMBER 3, 2020**

General Election				
Place/Candidate	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
Town Council, Place 3				
Amy Bartley	8482	1744	10226	100.00%
Town Council, Place 5				
Jeff Hodges	5464	1170	6634	66.63%
Steve Thomas	2599	724	3323	33.37%

Bond Election				
Proposition	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
Proposition A				
For	9249	1912	11161	77.74%
Against	2535	660	3195	22.26%
Proposition B				
For	8717	1852	10569	73.76%
Against	3031	728	3759	26.24%
Proposition C				
For	9189	2048	11237	78.50%
Against	2551	527	3078	21.50%

Local Option Election				
Proposition D				
For	6588	1546	8134	56.56%
Against	5198	1049	6247	43.44%
Proposition E				
For	9411	2163	11574	80.68%
Against	2336	436	2772	19.32%

This is an unofficial tabulation of the election results. The Early Voting Ballot Board will process provisional ballots by Monday, November 16, 2020, to determine if they will be accepted or rejected.

Results remain unofficial until the official canvass is conducted at 7:30 a.m. on Tuesday, November 17, 2020.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Unofficial Tabulation of Results was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said notice was posted at 8:00 a.m. on November 4, 2020.

/s/ Melissa Lee, Town Secretary

Date Notice Removed



TOWN SECRETARY'S OFFICE

To: Mayor and Town Council

From: Melissa Lee, Town Secretary

**Through: Harlan Jefferson, Town Manager
 Robyn Battle, Executive Director of Community Services**

Re: Special Called Town Council Meeting – November 17, 2020

Agenda Item:

Consider and act upon an ordinance canvassing the returns and declaring the results of the November 3, 2020, Local Option Election. **(ML)**

Description of Agenda Item:

The Town of Prosper held a Local Option Election on November 3, 2020.

The following are the unofficial tabulation of results:

<u>Proposition</u>	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage
<u>Proposition D (Legal Sale of All Alcoholic Beverages for Off-Premise Consumption Only)</u>				
For	6,588	1,546	8,134	56.56%
Against	5,198	1,049	6,247	43.44%
<u>Proposition E (Legal Sale of Mixed Beverages in Restaurants by Food and Beverage Certificate Holders Only)</u>				
For	9,411	2,163	11,574	80.68%
Against	2,336	436	2,772	19.32%

The Collin County and Denton County Election Administrations will provide certified results, including any provisional ballots, no later than Monday, November 16, 2020.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance
2. Unofficial Tabulation of Results

Town Staff Recommendation:

Town staff recommends that the Town Council adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, Local Option Election.

Proposed Motion:

I make a motion to adopt an ordinance canvassing the returns and declaring the results of the November 3, 2020, Local Option Election.

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2020-84

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 NOVEMBER 3, 2020, TO CONSIDER TWO (2) LOCAL OPTION ELECTION PROPOSITIONS: (1) TO LEGALIZE THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY, AND (2) TO LEGALIZE THE LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to and consistent with Chapter 501 of the Texas Election Code, the Town of Prosper, Texas ("Town"), received two (2) petitions requesting a local option election be held to consider (1) the legal sale of all alcoholic beverages for off-premise consumption only; and (2) the legal sale of mixed beverages in restaurants by food and beverage certificate holders only; and

WHEREAS, pursuant to Sections 501.109 and 501.031 of the Texas Election Code, the Town Secretary verified the petitions submitted to the Town, and determined the petitions contained the requisite number of signatures of eligible voters of the Town; and

WHEREAS, pursuant to Section 41.001(a) of the Texas Election Code, November 3, 2020, has been established as a uniform election date for the Town; and

WHEREAS, on August 11, 2020, the Town Council ordered a Special Election for November 3, 2020, to consider the two (2) local option propositions; 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 Special Election was duly and legally held on November 3, 2020, in the Town and in conformity with the election laws of the State of Texas, and the results of said Special Election have been certified and returned by the proper judge and clerks thereof; and

WHEREAS, the Town Council has considered the returns of said Special Election held on November 3, 2020.

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

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 official canvass of the returns of the Special Election reflects that the following propositions received the number of votes set opposite each stated proposition:

Proposition	Collin County Early Voting and Election Day Totals	Denton County Early Voting and Election Day Totals	Combined Total	Percentage	
<u>Proposition D</u> (Legal Sale of All Alcoholic Beverages for Off-Premise Consumption Only)	For	6,588	1,546	8,134	56.56%
	Against	5,198	1,049	6,247	43.44%
<u>Proposition E</u> (Legal Sale of Mixed Beverages in Restaurants by Food and Beverage Certificate Holders Only)	For	9,411	2,163	11,574	80.68%
	Against	2,336	436	2,772	19.32%

The canvass of the returns of the Special Election held on November 3, 2020, reflects that a majority of the votes cast at the Special Election were (1) "For the legal sale of all alcoholic beverages for off-premise consumption only" and (2) "For the legal sale of mixed beverages in restaurants by food and beverage certificate holders only," and it is hereby so ordered.

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 17TH DAY OF NOVEMBER, 2020.

APPROVED:

Ray Smith, Mayor

ATTEST:

Melissa Lee, Town Secretary

APPROVED AS TO FORM:

Terrence S. Welch, Town Attorney



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**UNOFFICIAL TABULATION OF RESULTS
TOWN OF PROSPER
GENERAL ELECTION, BOND ELECTION &
LOCAL OPTION ELECTION
NOVEMBER 3, 2020**

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Against	3031	728	3759	26.24%
Proposition C				
For	9189	2048	11237	78.50%
Against	2551	527	3078	21.50%

Local Option Election				
Proposition D				
For	6588	1546	8134	56.56%
Against	5198	1049	6247	43.44%
Proposition E				
For	9411	2163	11574	80.68%
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CERTIFICATION

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/s/ Melissa Lee, Town Secretary

Date Notice Removed