

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MELISSA, COLLIN COUNTY, TEXAS, ORDERING A SPECIAL ELECTION TO BE ADMINISTERED BY THE COLLIN COUNTY ELECTIONS ADMINISTRATOR ON MAY 4, 2024, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MELISSA THE FOLLOWING PROPOSITIONS: (A) THE CREATION OF THE MELISSA CRIME CONTROL AND PREVENTION DISTRICT DEDICATED TO CRIME REDUCTION PROGRAMS, THE ADOPTION OF A PROPOSED SALES AND USE TAX AT A RATE OF 1/4 OF 1%, AND TO MAINTAIN THE SAME OVERALL SALES TAX RATE IN THE CITY, THE REDUCTION OF THE SALES AND USE TAX CURRENTLY LEVIED FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES BY THE MELISSA INDUSTRIAL AND ECONOMIC DEVELOPMENT CORPORATION FROM A RATE OF 1/2 OF 1% TO 1/4 OF 1%; AND (B) THE CREATION OF THE MELISSA FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT DEDICATED TO FIRE SAFETY AND EMERGENCY MEDICAL SERVICES PROGRAMS, WITH THE CITY COUNCIL TO SERVE AS THE DISTRICT'S BOARD OF DIRECTORS, THE ADOPTION OF A PROPOSED SALES AND USE TAX AT A RATE OF 1/4 OF 1%, AND TO MAINTAIN THE SAME OVERALL SALES TAX RATE IN THE CITY, THE REDUCTION OF THE SALES AND USE TAX CURRENTLY LEVIED FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES BY THE MELISSA INDUSTRIAL AND ECONOMIC DEVELOPMENT CORPORATION FROM A RATE OF 1/2 OF 1% TO 1/4 OF 1%; PRESCRIBING PROPOSITIONS TO BE PLACED ON THE BALLOT; SETTING FORTH SUMMARY OF APPROVED CRIME CONTROL DISTRICT PLAN AND BUDGET AND FIRE CONTROL DISTRICT PLAN AND BUDGET AND PROPOSED TAX RATES; DESIGNATING EARLY VOTING POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; PROVIDING FOR THE APPOINTMENT OF ELECTION JUDGES; AUTHORIZING THE MAYOR AND CITY SECRETARY TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Melissa, Texas ("City Council") is authorized to propose the creation of a Crime Control and Prevention District ("Crime Control District") in the City of Melissa, Texas ("Melissa" or "City") pursuant to the Crime Control and Prevention District Act, codified at Chapter 363 of the Texas Local Government Code, and a Fire Control, Prevention, and Emergency Medical Services District ("Fire Control District") in Melissa pursuant to the Fire Control, Prevention, and Emergency Medical Services District Act, codified at Chapter 344 of the Texas Local Government Code; and

WHEREAS, in Ordinance No. 2024-15, the City Council proposed the creation of the Crime Control District to cover all of the corporate boundaries of the City, as they exist or may be amended, and appointed a temporary board of directors of the Crime Control District; and

WHEREAS, in Ordinance No. 2024-16, the City Council proposed the creation of the Fire Control District to cover all of the corporate boundaries of the City, as they exist or may be amended, and appointed a temporary board of directors of the Fire Control District; and

WHEREAS, the temporary boards of both the Crime Control District and the Fire Control District have formulated and approved the required two-year plans and two-year budgets in compliance with Section 363.061 of the Texas Local Government Code and Section 344.061 of the Texas Local Government Code, respectively, and as of the effective date of this Ordinance, both temporary boards have ordered or will order an election authorizing the creation of the Crime Control District and the Fire Control District in accordance with Section 363.054 of the Texas Local Government Code and Section 344.054 of the Texas Local Government Code, respectively; and

WHEREAS, the City Council is authorized to order an election to reduce the sales and use tax rate currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation, a Type A corporation, in accordance with Section 504.258 of the Texas Local Government Code; and

WHEREAS, the City Council desires to maintain the same overall sales tax rate in the City after the voter-approved creation of the Crime Control District and/or the Fire Control District with the corresponding reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation; and

WHEREAS, the City Council finds that all notices, public hearings, procedures and other actions required for the ordering of an election authorizing the creation of the Crime Control District and the Fire Control District and the reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation have occurred in accordance with applicable law, including Chapter 363 of the Texas Local Government Code, Chapter 344 of the Texas Local Government Code, Chapter 504 of the Texas Local Government Code and the Texas Election Code; and

WHEREAS, in accordance with Chapter 321 of the Texas Tax Code, the combined rate of all local sales and uses taxes imposed by the City, if the voters approve both of the propositions as set forth herein, will not exceed 2%; and

WHEREAS, the City Council finds that adopting this Ordinance will promote the health, safety and welfare of Melissa and is in the best interest of the citizens of Melissa.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Special Election Ordered. A special election ("Election") is hereby ordered to be held on Saturday, May 4, 2024 ("Election Day"), for the purpose of submitting to the qualified voters of Melissa the following propositions: (a) the creation of the Melissa Crime Control and Prevention District dedicated to crime reduction programs, the adoption of a proposed sales and use tax at a rate of 1/4 of 1%, and to maintain the same overall sales tax rate in the City, the reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation from a rate of 1/2 of 1% to 1/4 of 1%; and (b) the creation of the Melissa Fire Control, Prevention, and Emergency Medical Services District dedicated to fire safety and emergency medical services programs, with the City Council to serve as the District's board of directors, the adoption of a proposed sales and use tax at a rate of 1/4 of 1%, and to maintain the same overall sales tax rate in the City, the reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation from a rate of 1/2 of 1% to 1/4 of 1%. The Election shall be administered by the Collin County Elections Administrator.

SECTION 3: Official Ballot Propositions. The questions shall be submitted to the qualified voters of Melissa at the Election on ballots in the form of propositions set forth in Exhibit A, attached hereto and incorporated as if fully set forth herein, in conformance with the requirements of Chapter 363 of the Texas Local Government Code, Chapter 344 of the Texas Local Government Code, Chapter 504 of the Texas Local Government Code and the Texas Election Code.

SECTION 4: Summary of Approved Crime Control District Plan and Budget; Proposed Tax Rate. In accordance with Section 363.054(b)(5) of the Texas Local Government Code, attached hereto as Exhibit B-1 is the proposed Crime Control District's budget plan and the following is a statement, in summary form, of the crime control plan of the proposed Crime Control District: Funds from the Crime Control District's budget will invest in technology and equipment for the Melissa Police Department, create and staff specialty divisions within the Melissa Police Department and fund additional personnel for the Melissa Police Department. The proposed sales and use tax rate for financing the operations of the Crime Control District is 1/4 of 1%. If approved, the proposed sales and use tax will be charged in addition to any other sales and use tax authorized by law and will be included in computing a combined sales and use tax rate for purposes of any limitation provided by law on the maximum combined sales and use tax rate of the City.

SECTION 5: Summary of Approved Fire Control District Plan and Budget; Proposed Tax Rate. In accordance with Section 344.054(b)(5) of the Texas Local Government Code, attached hereto as Exhibit B-2 is the proposed Fire Control District's budget plan and the following is a summary of the proposed Fire Control District's fire control, prevention, and emergency medical services plan: Funds from the Fire Control District's budget will be allocated to design and construct a new Fire Station in the northern portion of Melissa, outfit the facility with necessary equipment and Fire apparatus and fund additional personnel for the Melissa Fire Department. The proposed sales and use tax rate for financing the operations of the Fire Control District is 1/4 of 1%. If approved, the proposed sales and use tax will be

charged in addition to any other sales and use tax authorized by law and will be included in computing a combined sales and use tax rate for purposes of any limitation provided by law on the maximum combined sales and use tax rate of the City.

SECTION 6: Early Voting. Early voting by personal appearance shall be available at: the Melissa City Hall, Municipal Court Room, 3411 Barker Avenue, Melissa, Texas 75454; or the Collin County Elections Office, 2010 Redbud Blvd., Room #102, McKinney, Texas 75069, which is designated as the main early voting polling place. Early voting will begin on Monday, April 22, 2024, and continue through Tuesday, April 30, 2024, during the normal working hours of 8:00 a.m. to 5:00 p.m., with extended voting hours on Saturday, April 27, 2024 from 8:00 a.m. to 5:00 p.m.; Monday, April 29, 2024 from 7:00 a.m. to 7:00 p.m.; and Tuesday, April 30, 2024 from 7:00 a.m. to 7:00 p.m. Applications for ballots by mail shall be requested from and mailed to Bruce Sherbet, Early Voting Clerk, 2010 Redbud Boulevard, Suite 102, McKinney, Texas 75069, or faxed to 972-547-1996, or emailed to absenteemailballoting@collincountytx.gov. (If faxed or emailed, the original application must be mailed and received within 4 days.) Applications for ballots by mail must be received no later than the close of business on April 23, 2024.

Collin County voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administrator, which may be designated after the date of this Ordinance. This previous sentence shall also be posted in the Notice of Election. Early voting times and locations are subject to change.

SECTION 7: Election Day Voting. Election Day voting by personal appearance shall be at the Melissa City Hall, Municipal Court Room, 3411 Barker Avenue, Melissa, Texas 75454; the Collin County Elections Office, 2010 Redbud Blvd., #102, McKinney, Texas 75069; and any of the additional Election Day Vote Centers open under full contract services with Collin County Elections Administrator, from 7:00 a.m. to 7:00 p.m.

SECTION 8: Voting Equipment and Materials. For early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used in Collin County: ES&S ExpressVote Universal voting machines (EVS 6.1.1.0), ES&S ExpressTouch curbside voting machines (EVS 6.1.1.0), ES&S DS200 ballot counters (EVS 6.1.1.0), ES&S Model DS450 and DS850 High-Speed Scanners/Tabulators (EVS 6.1.1.0), along with the required ancillary parts and services required for such voting tabulation system.

SECTION 9: Election to Comply with Applicable Laws. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this Election. The Election and notice of the Election shall be conducted in accordance with the Texas Election Code and other applicable law, and all qualified and registered voters of Melissa shall be eligible to vote at the Election.

SECTION 10: Appointment of Election Judges. Upon the receipt of recommendations from the City Secretary and/or the Collin County Elections Administrator, the City Council shall appoint the early voting and Election judges. In the event that the appointed judges are unable to execute or complete their duties for any reason, the City Secretary and/or the Collin County Elections Administrator may identify alternate judges that the City Council shall appoint as soon as possible.

SECTION 11: Authority of Mayor and City Secretary. The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the Election, whether or not expressly authorized herein.

SECTION 12: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/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. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional and/or invalid.

SECTION 13: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 14: Effective Date. This order for an election becomes effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MELISSA, TEXAS on this 13th day of February, 2024.


Jay Northcut, Mayor

ATTEST:


Hope Cory, City Secretary



Exhibit A
Official Ballot Propositions

At the Election, the following ballot propositions shall be submitted to the qualified voters of Melissa in conformance with the requirements of Chapter 363 of the Texas Local Government Code, Chapter 344 of the Texas Local Government Code, Chapter 504 of the Texas Local Government Code and the Texas Election Code:

PROPOSITION A

The creation of the Melissa Crime Control and Prevention District dedicated to crime reduction programs, the adoption of a proposed sales and use tax at a rate of 1/4 of 1%, and to maintain the same overall sales tax rate in the City, the reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation from a rate of 1/2 of 1% to 1/4 of 1%.

FOR THE PROPOSITION: 6 AGAINST THE PROPOSITION: 0

PROPOSITION B

The creation of the Melissa Fire Control, Prevention, and Emergency Medical Services District dedicated to fire safety and emergency medical services programs, with the City Council to serve as the District's board of directors, the adoption of a proposed sales and use tax at a rate of 1/4 of 1%, and to maintain the same overall sales tax rate in the City, the reduction of the sales and use tax currently levied for the promotion and development of new and expanded business enterprises by the Melissa Industrial and Economic Development Corporation from a rate of 1/2 of 1% to 1/4 of 1%.

FOR THE PROPOSITION: 6 AGAINST THE PROPOSITION: 0

Exhibit B-1
Crime Control District Budget Plan

CRIME CONTROL DISTRICT FUND BUDGET						
Revenue	FY25	FY26	FY27	FY28	FY29	
Beginning Balance	\$ 1,000,000	\$ 1,171,627	\$ 1,436,867	\$ 2,160,607	\$ 2,939,472	
Sales Tax	\$ 1,000,000	\$ 1,050,000	\$ 1,102,500	\$ 1,157,625	\$ 1,215,506	
Interest	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	
Total Revenue	\$ 2,005,000	\$ 2,226,627	\$ 2,544,367	\$ 3,323,232	\$ 4,159,978	

LINE ITEMS	Base FY25	Base FY26	Base FY27	Base FY28	Base FY29	
5110 SALARIES & WAGES						
PERSONNEL TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	-
OPERATIONS TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	-
5910 CAPITAL OUTLAY						
Axon 10 yr Contract (body worn cameras/taser program/in c	\$ 167,260	\$ 167,260	\$ 167,260	\$ 167,260	\$ 167,260	
Flock Safety ALPR Cameras (traffic cameras)	\$ 274,800	\$ 216,500	\$ 216,500	\$ 216,500	\$ 216,500	
Accident reconstruction equipment	\$ 120,000					
Drones x 3	\$ 75,924					
3/4 ton Truck and Barrier Trailer kit (x 8)	\$ 103,806					
Motorcycle unit (x 3 plus outfit)	\$ 91,583					
Command Trailer w/equipment		\$ 350,000				
Commercial Vehicle plus equipment		\$ 56,000				
CAPITAL TOTAL	\$ 833,373	\$ 789,760	\$ 383,760	\$ 383,760	\$ 383,760	
ENDING BALANCE	\$ 1,171,627	\$ 1,436,867	\$ 2,160,607	\$ 2,939,472	\$ 3,776,218	

Exhibit B-2
Fire Control District Budget Plan

FIRE CONTROL DISTRICT FUND BUDGET						
Revenue	FY25	FY26	FY27	FY28	FY29	
Beginning Balance	\$ 1,000,000	\$ 1,247,500	\$ 1,545,000	\$ 1,895,000	\$ 2,300,125	
Sales Tax	\$ 1,000,000	\$ 1,050,000	\$ 1,102,500	\$ 1,157,625	\$ 1,215,506	
Interest	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	
Total Revenue	\$ 2,005,000	\$ 2,302,500	\$ 2,652,500	\$ 3,057,625	\$ 3,520,631	

LINE ITEMS	Base FY25	Base FY26	Base FY27	Base FY28	Base FY29	
5110 SALARIES & WAGES & BENEFITS	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	
PERSONNEL TOTAL	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	
OPERATIONS TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	
5910 CAPITAL OUTLAY						
Fire Station #2 debt (\$450k annual for \$6m CO)	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	
Utilities/supplies	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	
Aerial Ladder truck	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000	
Fire Engine	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	
CAPITAL TOTAL	\$ 660,000	\$ 660,000	\$ 660,000	\$ 660,000	\$ 660,000	
ENDING BALANCE	\$ 1,247,500	\$ 1,545,000	\$ 1,895,000	\$ 2,300,125	\$ 2,763,131	