

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, COLLIN AND DENTON COUNTIES, TEXAS, ORDERING A SPECIAL ELECTION TO BE ADMINISTERED BY THE COLLIN COUNTY ELECTIONS ADMINISTRATOR AND THE DENTON COUNTY ELECTIONS ADMINISTRATOR ON MAY 4, 2024, IN CONJUNCTION WITH THE CITY OF FRISCO GENERAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS THE QUESTIONS OF WHETHER CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE (CIVIL SERVICE) SHOULD BE ADOPTED FOR THE FRISCO FIRE DEPARTMENT AND WHETHER CHAPTER 174 OF THE TEXAS LOCAL GOVERNMENT CODE (COLLECTIVE BARGAINING) SHOULD BE ADOPTED FOR THE FRISCO FIRE DEPARTMENT; 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, on August 21, 2023, the City of Frisco, Texas (“Frisco”) received a “Petition to Adopt the Fire Fighters’ and Police Officers’ Civil Service Law for the Frisco Fire Department” (the “143 Petition”), and a “Petition to Adopt the Fire and Police Employee Relations Act for the Frisco Fire Department” (the “174 Petition”); and

WHEREAS, in Resolution No. 2023-10-46R, the Frisco City Council verified that the 143 Petition was signed by the number of qualified voters of Frisco equal to at least 10 percent of the number of voters who voted in the most recent municipal election in Frisco as provided for in Section 143.004(b) of the Texas Local Government Code; and

WHEREAS, in Resolution No. 2023-10-47R, the Frisco City Council verified that the 174 Petition was signed by the number of qualified voters of Frisco equal to at least five percent of the number of qualified voters voting in Frisco in the preceding general election for state and county officers as provided for in Section 174.051(a) of the Texas Local Government Code; and

WHEREAS, the Frisco City Council therefore duly authorizes and hereby orders a special election to be held within the City of Frisco, Collin and Denton Counties, Texas on May 4, 2024, for the purpose of submitting to the voters the questions of whether Chapter 143 of the Texas Local Government Code (Civil Service) should be adopted for the Frisco Fire Department, and whether Chapter 174 of the Texas Local Government Code (Collective Bargaining) should be adopted for the Frisco Fire Department.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, 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 voters the questions of whether Chapter 143 of the Texas Local Government Code (Civil Service) should be adopted for the Frisco Fire Department, and whether Chapter 174 of the Texas Local Government Code (Collective Bargaining) should be adopted for the Frisco Fire Department. The Election shall be administered by the Collin County Elections Administrator and the Denton County Elections Administrator. The Collin County Elections Administrator shall administer the Election for the Collin County portion of Frisco, and the Denton County Elections Administrator shall administer the Election for the Denton County portion of Frisco. Frisco voters shall vote in the county in which they are registered.

SECTION 3: Official Ballot Propositions. The questions shall be submitted to the qualified voters of Frisco 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 143 of the Texas Local Government Code, Chapter 174 of the Texas Local Government Code and the Texas Election Code.

SECTION 4: Early Voting.

Collin County Voters: Early voting by personal appearance shall be available at: Collin College, Frisco Campus, Room J113, 9700 Wade Boulevard, Frisco, Texas 75035; Fire Station No. 8, Training Room, 14700 Rolater Road, Frisco, Texas 75035; Fire Station No. 5, Training Room, 14300 Eldorado Parkway, Frisco, Texas 75035; The Grove at Frisco Commons, Game Room C, 8300 McKinney Road, Frisco, Texas 75034; or the Collin County Elections Office, 2010 Redbud Boulevard, #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 Blvd., Suite 102, McKinney, Texas 75069, or faxed to 972-547-1996, or emailed to absenteemailballoting@collincountytexas.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 February 16, 2024. This previous sentence shall also be posted in the Notice of Election. Early voting times and locations are subject to change.

Denton County Voters: Early voting by personal appearance shall be available at: Fire Station No. 4, Training Room, 4485 Cotton Gin Road, Frisco, Texas 75034; Fire Station No. 7, Training Room, 330 W. Stonebrook Parkway, Frisco, Texas 75036; Fire Station No. 6, Training Room, 3535 Eldorado Parkway, Frisco, Texas 75033; the Denton County Government Center, Community Room, 5533 FM 423,

Frisco, Texas 75036; or the Denton County Elections Office, 701 Kimberly Drive, Room A111, Denton, Texas 76208, 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.; Sunday, April 28, 2024 from 11:00 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 Frank Phillips, Early Voting Clerk, Denton County Elections, PO Box 1720, Denton, TX 76202, or emailed to elections@dentoncounty.gov. (If 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.

Denton County voters may vote at any of the additional Early Voting locations open under full contract services with the Denton County Elections Administrator, which may be designated after February 16, 2024. The previous sentence shall also be posted in the Notice of Election. Early voting times and locations are subject to change.

SECTION 5. Election Day Voting.

Collin County Voters: Election Day voting by personal appearance shall be at the following locations, 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.

City Precinct No.	Collin County Precinct No.	Address
2	30, 87, 92, 101, 111, 117, 118, 127, 134, 146, 177, 184, 209, 212, 220, 225, 229, 234, 244, 245, 248	The Grove at Frisco Commons Game Room C 8300 McKinney Road Frisco, Texas 75034
3	30, 87, 92, 101, 111, 117, 118, 127, 134, 146, 177, 184, 209, 212, 220, 225, 229, 234, 244, 245, 248	Fire Station No. 5 Training Room 14300 Eldorado Parkway Frisco, Texas 75035
7	30, 87, 92, 101, 111, 117, 118, 127, 134, 146, 177, 184, 209, 212, 220, 225, 229, 234, 244, 245, 248	Collin College, Frisco Campus Room J113 9700 Wade Boulevard Frisco, Texas 75035

8	30, 87, 92, 101, 111, 117, 118, 127, 134, 146, 177, 184, 209, 212, 220, 225, 229, 234, 244, 245, 248	Fire Station No. 8 Training Room 14700 Rolater Road Frisco, Texas 75035
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Denton County Voters: Election Day voting by personal appearance shall be at the following locations, according to voter precincts, from 7:00 a.m. to 7:00 p.m.:

City Precinct No.	Denton County Precinct No.	Address
1	1018, 1019, 1020, 1033, 1036, 1037, 1039, 1040	Fire Station No. 6 Training Room 3535 Eldorado Parkway Frisco, Texas 75033
4	1023, 2080, 2083, 2089	Denton County Government Center Community Room 5533 FM 423 Frisco, Texas 75036
5	1025, 1026, 1032, 1172	Fire Station No. 7 Training Room 330 W. Stonebrook Parkway Frisco, Texas 75036
6	1021, 1022, 1024, 2081, 2082	Fire Station No. 4 Training Room 4485 Cotton Gin Road Frisco, Texas 75034

SECTION 6: 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. For early voting in person, early voting by mail, election day voting and provisional voting, the following voting equipment will be used in Denton County: Hart InterCivic, Verity Scan 2.7.6 and Print and Access Writers 2.7.1, a ballot-on-demand paper balloting

system, along with the required ancillary parts and services required for such voting tabulation system.

SECTION 7: 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 Frisco shall be eligible to vote at the Election.

SECTION 8: Appointment of Election Judges. Upon the receipt of recommendations from the City Secretary and/or the Collin County Elections Administrator and Denton 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 and Denton County Elections Administrator may identify alternate judges that the City Council shall appoint as soon as possible.

SECTION 9: 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 10: 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 11: 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 12: 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 FRISCO, TEXAS on this 6th day of February, 2024.



Jeff Cheney, Mayor

**ATTESTED AND
CORRECTLY RECORDED:**



Kristi Morrow

Kristi Morrow, City Secretary

APPROVED AS TO FORM:

Ryan D. Pittman

Abernathy, Roeder, Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: February 11, 2024, and February 18, 2024, *Frisco Enterprise*

Exhibit A
Official Ballot Propositions

At the Election, the following ballot propositions shall be submitted to the qualified voters of Frisco in conformance with the requirements of Chapter 143 of the Texas Local Government Code, Chapter 174 of the Texas Local Government Code and the Texas Election Code:

PROPOSITION A

Adoption of the fire fighters' and police officers' civil service law for the Frisco Fire Department.

FOR THE PROPOSITION: _____ AGAINST THE PROPOSITION: _____

PROPOSITION B

Adoption of the state law applicable to fire fighters that establishes collective bargaining if a majority of the affected employees favor representation by an employees association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts for the Frisco Fire Department.

FOR THE PROPOSITION: _____ AGAINST THE PROPOSITION: _____