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NO. 704

AN ORDINANCE OF THE CITY OF MESQUITE ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF MESQUITE, COUNTY OF DALLAS, TEXAS, ON THE QUESTION OF THE ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE CITY; DESIGNATING THE 5TH DAY OF DECEMBER, 1967, AS THE DAY OF THE ELECTION AND HILLCREST PARK COMMUNITY CENTER, 1116 HILLCREST STREET AND FLORENCE PARK COMMUNITY CENTER, 2501 WHITSON WAY, SAID LOCATIONS BEING IN THE CITY OF MESQUITE, AS THE POLLING PLACES FOR SUCH ELECTION; APPOINTING ELECTION OFFICIALS THEREFOR; PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING FORM OF BALLOT; PROVIDING FOR NOTICE OF ELECTION; CONTAINING OTHER PROVISIONS RELATING TO SAID ELECTION; PROVIDING FOR ABSENTEE VOTING; AND PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, Article 1066C, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62) authorizes the governing body of any city, town, or village in Texas to call an election for the purpose of adopting a local sales and use tax within such city, town, or village:

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

SECTION 1. That a special election shall be held in and throughout the City of Mesquite, Texas, on the 5th day of December, 1967, at which election there shall be submitted to the resident qualified voters of said City of Mesquite, for their action thereupon, the following propositions:

"For adoption of a one percent (1%) local sales and use tax within the City."

"Against adoption of a one percent (1%) local sales and use tax within the City."

SECTION 2. That said election shall be held in each of the election precincts within said City of Mesquite, and the polling places and presiding officers for each of said precincts shall be, respectively, as follows, to wit:

<u>PRECINCT</u>	<u>POLLING PLACE</u>	<u>PRESIDING OFFICERS</u>
Nos. 231, 236 245, 254	Hillcrest Park Community Center 1116 Hillcrest Street	<u>Leonard Burriss</u> Presiding Judge  <u>Mrs. Betty Riggs</u> Alternate Presiding Judge
Nos. 252, 211	Florence Park Community Center 2501 Whitson Way	<u>Herbert Goodenough</u> Presiding Judge  <u>Jack W. Puckett</u> Alternate Presiding Judge

There shall be not less than two (2) clerks for each election precinct, to be appointed by the Presiding Judge for each precinct.

SECTION 3. That said election shall be held in accordance with the Constitution and Laws of the State of Texas, the Charter and Ordinances of the City of Mesquite, and all duly qualified resident electors of the City of Mesquite, Texas, shall be qualified to vote.

SECTION 4. That the ballots of said election shall conform to the requirements of Section 2, Subsection G, of Article 1066C, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62) and to the requirements of Chapters 6 and 7 of the Election Code of the State of Texas, as amended, and the language to be printed thereon shall include the following:

"For adoption of a one percent (1%) local sales and use tax within the City of Mesquite."

"Against adoption of a one percent (1%) local sales and use tax within the City of Mesquite."

SECTION 5. That election judges and clerks are directed to comply with the Election Code of the State of Texas as it shall be applicable to machine voting.

SECTION 6. That notice of the election hereby ordered and called shall be given:

- (a) by publication on the same day of two successive weeks in a newspaper of general circulation published within said City of Mesquite, the date of the first publication to be at least twenty-one (21) days prior to the date set herein for such election; and

(b) by posting of such notice at the polling place in each of the election precincts of the City of Mesquite not less than twenty (20) days prior to the date set herein for such election.

It is hereby found and determined that the Texas Mesquiter is a newspaper published within the City of Mesquite, Texas, and is a newspaper of general circulation within said City of Mesquite.

SECTION 7. Absentee voting shall be conducted in the office of the City Secretary, beginning at 8:00 a. m. on the 15th day of November, 1967, and continuing on each day thereafter, except Saturdays, Sundays, and lawful holidays, through 5:00 p. m. on the 1st day of December, 1967.

SECTION 8. It is hereby declared to be the intent of the City Council of the City of Mesquite that each section, paragraph, sentence, and phrase of this ordinance be considered severable, and that in the event any such section, paragraph, sentence, or phrase shall be invalidated for any reason, such invalidity shall not be construed as to affect those phrases, sentences, paragraphs, or sections still remaining.

SECTION 9. The fact that the present ordinances of the City of Mesquite are inadequate to provide sufficient revenues to insure the construction of essential City Services creates an urgency and emergency in the interest of the public health, safety, and welfare and requires that this ordinance shall become effective immediately from and after its date of passage.

PASSED AND APPROVED this 1st day of November, 1967.

*Amey Boyce*  
MAYOR

ATTEST:

*Norm G. M. Gaughy*  
CITY SECRETARY

APPROVED AS TO FORM:

*William K. ...*  
CITY ATTORNEY

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