

00017

ORDINANCE NO. 2148

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, CALLING FOR AN ELECTION TO BE HELD ON APRIL 6, 1985, FOR THE PURPOSE OF CONSIDERING PROPOSED CHARTER AMENDMENTS, SAID DATE BEING THE DATE OF THE REGULAR MUNICIPAL ELECTION; FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF MESQUITE, PERTAINING TO CHANGING CERTAIN MAXIMUM MUNICIPAL FINES FROM \$200.00 TO \$1,000.00; DELETING REQUIREMENT OF \$10.00 FEE FOR FILING AS CANDIDATE FOR CITY COUNCIL REDUCING NUMBER OF REQUIRED SIGNATURES ON PETITION TO BECOME CANDIDATE FOR CITY COUNCIL FROM 75 TO 25; ALLOWING PARTY OTHER THAN MAYOR TO SIGN CITY CONTRACTS WHEN APPROVED BY CITY COUNCIL; PROVIDING FOR APPOINTMENT OF CITY FINANCE DIRECTOR AS CITY TREASURER BY CITY MANAGER AND CONFORMING RESIDENCY REQUIREMENTS; INCREASING JURISDICTION OF MUNICIPAL COURT TO INCLUDE CERTAIN CASES WITH FINES TO \$1,000.00; CLARIFYING TERM "FINANCIAL INTEREST"; PROVIDING FOR DONATIONS OF RIGHT OF WAY, EASEMENTS AND OTHER THINGS OF VALUE TO CITY BY OFFICERS AND EMPLOYEES AND DELETION OF THE POSITION OF CITY TREASURER AND ADDITION OF THE POSITION OF CITY HEALTH OFFICER TO LIST OF POSITIONS RESERVED AS COUNCIL APPOINTMENTS, DESIGNATING THE POLLING PLACES AND HOURS OF VOTING, PROVIDING THAT THE REGULAR MUNICIPAL ELECTION JUDGES SHALL SUPERVISE SAID ELECTION, AND MAKING THIS ORDINANCE NOTICE OF SAID ELECTION.

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

SECTION 1. That in accordance with the provisions of Article 1170 of Vernon's Revised Civil Statutes of the State of Texas proposed Home Rule Charter amendments shall be submitted to the voters of the City of Mesquite at the regular municipal election to be held in the City of Mesquite, Texas, on the 6th day of April, 1985, for the purpose of submitting to the qualified voters of the City proposed amendments to the Home Rule Charter of the City of Mesquite, Texas.

00018

SECTION 2. The said proposed amendments to the Home Rule Charter to be submitted to the qualified voters shall be and the same shall be placed on the ballot in substantially the following form:

- 1. SHALL THE CITY CHARTER, ARTICLE III, SECTION 28, BE AMENDED BY PROVIDING FOR AN INCREASE IN THE MAXIMUM FINE FOR VIOLATION OF CITY ORDINANCES FROM TWO HUNDRED (\$200.00) DOLLARS TO ONE THOUSAND (\$1,000.00) DOLLARS.

YES NO

- 2. SHALL THE CITY CHARTER ARTICLE IV, SECTION 3, BE AMENDED BY DELETING THE REQUIREMENT OF PAYMENT OF A (\$10.00) DOLLAR FILING FEE AS A PREREQUISITE TO BECOMING A CANDIDATE FOR THE POSITION OF MAYOR OR COUNCIL MEMBER.

YES NO

- 3. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 4c, BE AMENDED BY REDUCING THE NUMBER OF SIGNATURES REQUIRED ON A PETITION TO BECOME A CANDIDATE FOR MAYOR OR COUNCIL MEMBER FROM SEVENTY-FIVE (75) to TWENTY-FIVE (25) AS PROVIDED BY STATE LAW.

YES NO

- 4. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 13, BE AMENDED BY PROVIDING THAT THE MAYOR SHALL SIGN ALL CONTRACTS AND CONVEYANCES MADE OR ENTERED INTO THE CITY "UNLESS ANOTHER PARTY IS AUTHORIZED BY THE CITY COUNCIL".

YES NO

- 5. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 26, BE AMENDED BY PROVIDING THAT THE CITY FINANCE DIRECTOR OR SUCH PERSON ACTING IN SUCH CAPACITY SHALL SERVE AS CITY TREASURER AND SHALL BE APPOINTED BY THE CITY MANAGER OR PERSON ACTING IN SUCH CAPACITY. THE RESIDENCY REQUIREMENTS FOR CITY TREASURER SHALL BE THE SAME BUT NOT GREATER THAN THOSE FOR FINANCE DIRECTOR OR SUCH PERSON ACTING IN SUCH CAPACITY.

YES NO

00019

6. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 27, BE AMENDED BY PROVIDING FOR AN INCREASE IN THE MAXIMUM FINE WITHIN THE JURISDICTION OF THE MUNICIPAL COURT FROM TWO HUNDRED (\$200.00) DOLLARS TO ONE THOUSAND (\$1,000.00) DOLLARS IN ALL INSTANCES WHEREIN SUCH INCREASE IS PERMITTED BY STATE LAW.

YES

NO

7. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 34, BE AMENDED BY PROVIDING THAT NO MEMBER OF THE CITY COUNCIL MAY BE EXCUSED FROM VOTING EXCEPT ON MATTERS WHERE HIS FINANCIAL INTERESTS ARE INVOLVED "OR WHERE OTHERWISE PROHIBITED BY STATE LAW.

YES

NO

8. SHALL THE CITY CHARTER, ARTICLE IV, SECTION 34, BE AMENDED BY PROVIDING THAT THE PHRASES "FINANCIALLY INTERESTED IN ANY CONTRACT WITH THE CITY" AND "FINANCIALLY INTERESTED IN THE SALE TO THE CITY OF ANY LAND" SHALL NOT BE DEEMED TO PRECLUDE DONATIONS TO CITY OF RIGHT OF WAY, EASEMENTS OR OTHER THING OF VALUE WITHOUT PAYMENT OR OTHER CONSIDERATION FROM CITY.

YES

NO

9. SHALL THE CITY CHARTER, ARTICLE VIII, SECTION 3, BE AMENDED BY PROVIDING FOR DELETION OF THE POSITION OF CITY TREASURER AND THE ADDITION OF THE POSITION OF CITY HEALTH OFFICER AS POSITIONS NOT SUBJECT TO APPOINTMENT OR REMOVAL BY THE CITY MANAGER.

YES

NO

SECTION 3. That the texts of the foregoing Articles and Sections shall be conformed to reflect the above changes upon adoption hereof by a majority of the electorate voting hereon.

SECTION 4. The said election shall be held on April 6th, 1985, in said City in the several regular election precincts of said City, at the several regular polling places, and with the Presiding Judges and Alternate Presiding Judges.

SECTION 5. That each Presiding Judge shall appoint not less than two qualified election clerks to serve and assist in conducting said election; provided that in each instance where the Presiding Judge actually serves as expected, the Alternate Presiding Judge shall be one of such clerks.

SECTION 6. That the City Secretary is hereby ordered and directed to publish this ordinance in some newspaper of general circulation, published in the City of Mesquite, Texas, on the same day in each of two consecutive weeks. The date of the first publication shall not be less than fourteen (14) days prior to the date set for said election. That such application shall constitute the notice of said election as the law in such cases provides.

SECTION 7. That the said Charter election shall be held in accordance with the Charter of the City of Mesquite and the Election Code of the State of Texas.


SECTION 8. The fact that it is necessary that this ordinance calling an election to consider amendments to the Home Rule Charter of the City of Mesquite must be passed at least thirty (30) days prior to the election creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL of the City of Mesquite, Texas, on the 18th day of February, A.D., 1985.


Mrs. Brunhilde Gystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney