

ORDINANCE NO. 3304

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD ON AUGUST 14, 1999; SAID DATE BEING A UNIFORM ELECTION DATE FOR THE PURPOSE OF DETERMINING WHETHER TO ADOPT AN ADDITIONAL ONE-HALF OF ONE PERCENT SALES AND USE TAX TO BE USED FOR PROJECTS AUTHORIZED BY SECTION 4B, ARTICLE 5190.6, VERNON'S ANNOTATED TEXAS CIVIL STATUTES; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has received a petition from the qualified voters of the City of Mesquite, Texas, calling for an election to determine whether or not the City of Mesquite will adopt an additional one-half of one percent sales and use tax pursuant to the provisions of Section 4B, Article 5190.6, Vernon's Annotated Texas Civil Statutes, the Development Corporation Act of 1979; and

WHEREAS, pursuant to Section 321.401 of the Tax Code, the City of Mesquite shall call a tax election if a number of qualified voters of the municipality equal to at least twenty percent of the number of votes cast in the most recent regular municipal election petitions the governing body for a vote on the question; and

WHEREAS, the City Secretary has certified to the City Council of the City of Mesquite that the number of valid signatures of qualified voters contained in said petition is in excess of twenty percent of the number of votes cast in the City of Mesquite in the most recent regular municipal election held on May 1, 1999; and

WHEREAS, Section 321.403 of the Tax Code provides that such election be held on the first authorized uniform election date occurring after the petition has been filed with the governing body that allows for enough time to hold the election; and

WHEREAS, the City of Mesquite is a municipality qualified to call such election;

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

SECTION 1. That the following proposition shall be submitted to the voters of the City of Mesquite at a special election to be held in the City of Mesquite, Texas, on the 14th day of August, 1999.

The adoption of a Section 4B sales and use tax at the rate of one-half of one percent to undertake projects as described in Section 4B of Article 5190.6, Vernon's Texas Civil Statutes, as amended, limited to the following:

FOR

- A. Transportation;
- B. Public Safety; and
- C. Public Parks and Recreation

AGAINST

All revenues received will be used for projects in the three areas described above and funds may be used for the maintenance and operation expenses for any of the above-described projects.

SECTION 2. That notice of such election shall be published at least once not earlier than the 30th day or later than the 10th day before election day as provided in Section 4.003(a)(1) of the Texas Election Code.

SECTION 3. That said election shall be held in accordance with the Election Code of the State of Texas, the Statutes of the State of Texas, and the Charter and Ordinances of the City of Mesquite, and shall be in conformity with the procedures set forth herein.

SECTION 4. Early voting by personal appearance shall be conducted by the Dallas County Elections Department. Ellen Williams, City Secretary, City of Mesquite, is hereby appointed clerk of early voting in compliance with Section 271.006 of the Texas Election Code. Bruce R. Sherbet, Dallas County Elections Administrator, is hereby appointed as chief deputy early voting clerk. Any qualified voter for the Election may vote early by personal appearance.

Early voting by personal appearance will be conducted at Dunford Recreation Center, 1015 Green Canyon, Mesquite, Texas, on weekdays beginning Wednesday, July 28, 1999, and continuing through Friday, August 6, 1999, between 8:00 a.m. and 5:00 p.m.; Saturday, August 7, 1999, between 8:00 a.m. and 5:00 p.m.; and Monday, August 9, 1999, through Tuesday, August 10, 1999, between 7:00 a.m. and 7:00 p.m.

Applications for ballots by mail shall be mailed to:

Bruce R. Sherbet
 Chief Deputy Early Voting Clerk
 2377 N. Stemmons Freeway
 Suite 820
 Dallas, Texas 75207

Applications for ballots by mail must be received no later than the close of business on August 6, 1999.

SECTION 5. That the polling places for voting on Election Day shall be open from 7:00 a.m. to 7:00 p.m., and voting will take place at the locations listed below:

In Election Precinct Nos. 2326, 2327, 2328, 2329 and 2330 – **Mesquite High School**, 300 East Davis, Mesquite, Texas.

In Election Precinct Nos. 2331, 2332, 2333 and 2334 – **Pirrung Elementary School**, 1500 Creek Valley, Mesquite, Texas.

In Election Precinct Nos. 2321, 2322 and 2325 – **Galloway Elementary School**, 2329 Candleberry, Mesquite, Texas.

In Election Precinct Nos. 2315, 2316, 2317, 2318, 2319 and 2403 – **Wilkinson Middle School**, 2100 Crest Park, Mesquite, Texas.

In Election Precinct Nos. 2307, 2309, 2310, 2311, 2312, 2320, 3308 and 3309 – **Tosch Elementary School**, 2424 Larchmont, Mesquite, Texas.

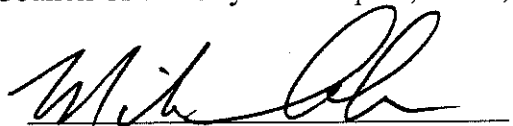
In Election Precinct Nos. 2247, 2249, 2259, 2300, 2301 and 2308 – **Florence Park Community Center**, 2501 Whitson Way, Mesquite, Texas.


In Election Precinct Nos. 2142, 2302, 2304, 2305, 2306, 2313 and 2314 – **Scott Dunford Community Center**, 1015 Green Canyon, Mesquite, Texas.

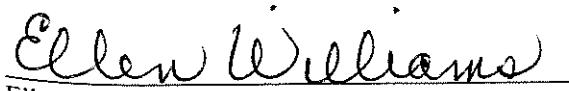
SECTION 6. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 7. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health and welfare of the inhabitants of the City of Mesquite creates an urgency and an emergency and necessitates that this ordinance become effective immediately from and after its date of passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of June, 1999.


Mike Anderson
Mayor

APPROVED:

B.J. Smith
City Attorney

ATTEST:

Ellen Williams
City Secretary