

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 4, 2019, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY, FOR ADOPTION OR REJECTION, THE QUESTION OF WHETHER TO AUTHORIZE THE SALE OF APPROXIMATELY 171.393 ACRES OF CITY PARK LAND LOCATED AT 3811 SOUTH BELT LINE ROAD, CONTAINING APPROXIMATELY 87.727 ACRES, AND ADJACENT LAND LOCATED AT 4600 MERCURY ROAD, CONTAINING APPROXIMATELY 83.666 ACRES; PRESCRIBING THE FORM AND WORDING OF THE BALLOT PROPOSITIONS; PROVIDING FOR LEGAL NOTICE; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mesquite, Texas ("City") finds and determines it is necessary and advisable to call and hold a special election within the City on the proposition hereinafter set forth; and

WHEREAS, Section 253.001 of the Texas Local Government Code, as amended, requires that the sale of any park land by the City must be submitted to the qualified voters of the City at an election and approved by a majority of the votes received at the election, and that any proceeds from the sale must only be used to acquire and improve property for park purposes.

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

SECTION 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are adopted as findings of fact and as a part of the operative provisions hereof.

SECTION 2. Election Ordered. A special election is ordered to be held in the City of Mesquite, Texas, on Saturday, May 4, 2019, for the purpose of submitting to the qualified voters of the City the proposition provided herein. The special 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 3. Official Ballot; Proposition. The official ballot shall be prepared in accordance with state law and in such a manner as will permit the voters to vote "FOR" or "AGAINST" the proposition submitted, with the proposition to be expressed on the official ballot in a form substantially as follows:

CITY OF MESQUITE PROPOSITION A

Shall the City of Mesquite City Council be authorized to: (1) convey by sale up to approximately 171.393 acres of City park land, including adjacent parcels of approximately 87.727 acres of land located at 3811 South Belt Line Road and

approximately 83.666 acres of land located at 4600 Mercury Road, the entirety of which is located in the City of Balch Springs, Dallas County, Texas, and (2) use the proceeds of the conveyance for the funding and enhancement of the City of Mesquite park and recreation system?

SECTION 4. Election Administration. The special election shall be administered by the Dallas County Elections Department pursuant to a Joint Election Agreement. Toni Pippins-Poole, Dallas County Elections Administrator, is hereby appointed election officer and clerk of early voting.

SECTION 5. Precincts and Polling Places. The election precincts and polling places for each such precinct on election day are set forth in Exhibit A attached hereto and incorporated herein for all purposes. The City Secretary is authorized to modify Exhibit A to include additional or different election day polling places designated by the Elections Administrator and to conform to the Joint Election Agreement.

SECTION 6. Early Voting. The early voting polling places for conducting early voting by personal appearance, for said election are set forth in Exhibit A attached hereto and incorporated herein for all purposes. The City Secretary is authorized to modify Exhibit A to include additional or different early voting locations designated by the Elections Administrator and to conform to the Joint Election Agreement. The early voting ballots for the special election will be processed by an early voting ballot board to be created in accordance with the Texas Election Code, as amended, and Joint Election Agreement.

SECTION 7. Voting Hours; Period for Early Voting by Personal Appearance.

(a) On election day, the polls shall be open from 7:00 A.M. to 7:00 P.M.

(b) The dates and hours for early voting by personal appearance at the early voting polling places shall be as described in Exhibit A hereto.

SECTION 8. Applications for Early Voting by Mail. An application for a ballot to be voted by mail shall be submitted by mail, common or contract carrier, telephonic facsimile machine ("fax") or by electronic transmission ("email") of a scanned application containing an original signature to:

Toni Pippins-Poole
Early Voting Clerk
Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207
Email: evapplications@dallascounty.org
Fax: 214.819.6303

If an application for ballot by mail ("ABBM") is faxed or emailed or if a Federal Postcard Application ("FPCA") is faxed, the early voting clerk must receive the original ABBM or FPCA no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA. If such original ABBM or FPCA is not received by the early voting clerk by the deadline, the faxed or emailed ABBM or faxed FPCA will be considered incomplete and the early voting clerk may

NOT send the applicant a ballot. The requirement to mail the original application does not apply to an emailed FPCA. An ABBM must be received by Noon or close of business, whichever is later, on Tuesday, April 23, 2019. An FPCA must be received in accordance with V.T.C.A., Election Code, §101.052.

SECTION 9. Notice. The Mayor shall give notice of the special election by (a) causing the notice to be published in a newspaper of general circulation within the City on the same day in each of two successive weeks, the first publication being made no earlier than the thirtieth (30th) day nor less than fourteen (14) days before the date of the special election, (b) posting on the City's website and (c) posting at three public places in the City and on the City's public meeting bulletin board at City Hall not later than the twenty-first (21st) day before election day, all in accordance with applicable state law governing notice of this special election.

SECTION 10. Severability. It is hereby declared to be the intent of the City Council of the City of Mesquite, Texas, that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs or sections of this Ordinance, the City Council hereby declaring that this Ordinance would have been enacted by the City Council without incorporation of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph or section.

SECTION 11. Effective Date. This ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 4th day of February 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



David L. Paschall
City Attorney

EXHIBIT A

**City of Mesquite, Texas
Special Election
May 4, 2019**

ELECTION DAY

DALLAS COUNTY PRECINCTS LOCATED WITHIN MESQUITE CITY LIMITS

<u>POLLING PLACE</u>	<u>ADDRESS</u>	<u>PRECINCT NO.</u>
Florence Park Community Center	2501 Whitson Way Mesquite, Texas 75150	1139, 1301, 1302, 1305
Ed Vanston Middle School	3230 Karla Drive Mesquite, Texas 75150	1300, 1315
Tosch Elementary School	2424 Larchmont Drive Mesquite, Texas 75150	1304, 1307, 1308, 1309, 1310, 1316
Galloway Elementary School	200 Clary Drive Mesquite, Texas 75149	1311, 1312, 1313, 1314
Dunford Recreation Center	1015 Green Canyon Drive Mesquite, Texas 75150	3300, 3301, 3302, 3303, 3304
W L Wilkinson Middle School	2100 Crest Park Drive Mesquite, Texas 75149	3305, 3306, 3307, 3315
Mesquite High School	300 East Davis Street Mesquite, Texas 75149	3308, 3309, 3310, 3311
Pirrung Elementary School	1500 Creek Valley Road Mesquite, Texas 75181	3312, 3316, 3318
Horn High School	3300 East Cartwright Road Mesquite, Texas 75181	3313, 3314, 3317

SPLIT PRECINCTS VOTING OUTSIDE MESQUITE CITY LIMITS

<u>POLLING PLACE</u>	<u>ADDRESS</u>	<u>PRECINCT NO.</u>
Edwin J. Kiest Elementary School	2611 Healey Drive, Dallas, Texas 75228	1062
Living Waters Church of God	11110 Shiloh Road Dallas, Texas 75228	1125
George Truett Elementary School	1811 Gross Road Dallas, Texas 75228	1303
Classical Center at Vial Elementary	126 Creekview Garland, Texas 75043	1721
Sunnyvale Town Hall	127 North Collins Road Sunnyvale, Texas 75182	3500

ELECTION DAY (con't)

KAUFMAN COUNTY PRECINCTS PARTIALLY LOCATED WITHIN MESQUITE CITY LIMITS

<u>POLLING PLACE</u>	<u>ADDRESS</u>	<u>PRECINCT NO.</u>
Horn High School	3300 East Cartwright Road Mesquite, Texas 75181	27, 29

(Provided by the Dallas County Elections Department. Subject to change.)

EARLY VOTING

Any voter who is entitled to vote an early ballot by personal appearance may do so at any Early Voting Polling Place listed below.

Early voting shall be conducted by personal appearance at the locations set forth below and during the period early voting is required or permitted by law, being April 22, 2019, through April 30, 2019, on the following dates and times:

Monday – Friday, April 22, 2019, through April 26, 2019, 8:00 a.m. – 5:00 p.m.

Saturday, April 27, 2019, 8:00 a.m. – 5:00 p.m.

Sunday, April 28, 2019, 1:00 p.m. – 6:00 p.m.

Monday – Tuesday, April 29, 2019, through April 30, 2019, 7:00 a.m. – 7:00 p.m.

Main Early Voting Location:

George L. Allen, Sr., Courts Building
600 Commerce Street
Dallas, Texas 75202

Branch Early Voting Locations:

Addison Fire Station #1 4798 Airport Parkway Addison, Texas 75001	Balch Springs Civic Center 12400 Elam Road Balch Springs, Texas 75180	Bethany Lutheran Church 10101 Walnut Hill Lane Dallas, Texas 75238
Betty Warmack Library 760 Bardin Road Grand Prairie, Texas 75052	Carrollton Farmers Branch ISD Service Building “C” 1820 Pearl Street Carrollton, Texas 75006	Carrollton Library @ Hebron & Josey 4220 North Josey Lane Carrollton, Texas 75010
Cedar Hill Government Center 285 Uptown Boulevard Cedar Hill, Texas 75104	Cockrell Hill City Hall 4125 West Clarendon Cockrell Hill, Texas 75211	Coppell Town Center 255 East Parkway Boulevard Coppell, Texas 75019
Crosswinds High School 1100 North Carrier Parkway Grand Prairie, Texas 75050	Dallas ISD Administration Building 9400 Central Expressway Dallas, Texas 75231	Disciple Central Community Church 901 North Polk Street DeSoto, Texas 75115

Duncanville Library 201 James Collins Boulevard Duncanville, Texas 75116	Eastfield College Pleasant Grove Campus 802 South Buckner Dallas, Texas 75217	El Centro College – West Campus 3330 North Hampton Road Dallas, Texas 75212
Farmers Branch City Hall 13000 William Dodson Parkway Farmers Branch, Texas 75234	Florence Recreation Center 2501 Whitson Way Mesquite, Texas 75150	Frankford Townhomes 18110 Marsh Lane Dallas, Texas 75287
Fretz Park Library 6990 Belt Line Road Dallas, Texas 75254	Friendship West Baptist Church 2020 Wheatland Road Dallas, Texas 75232	Grauwlyer Park Recreation Center 7780 Harry Hines Boulevard Dallas, Texas 75235
Harry Stone Recreation Center 2403 Millmar Drive Dallas, Texas 75228	Highland Hills Library 6200 Bonnie View Road Dallas, Texas 75241	Hutchins City Hall 321 North Main Street Hutchins, Texas 75141
Irving Arts Center 3333 North MacArthur Boulevard Irving, Texas 75062	Irving City Hall 825 West Irving Boulevard Irving, Texas 75060	J. Erik Jonsson Central Library 1515 Young Street Dallas, Texas 75201
Josey Ranch Library 1700 Keller Springs Road Carrollton, Texas 75006	Lakeside Activity Center 101 Holley Park Drive Mesquite, Texas 75149	Lakewood Branch Library 6121 Worth Street Dallas, Texas 75214
Lancaster Veterans Memorial Library 1600 Veterans Memorial Parkway Lancaster, Texas 75134	Lochwood Library 11221 Lochwood Boulevard Dallas, Texas 75218	Marsh Lane Baptist Church 10716 Marsh Lane Dallas, Texas 75229
Martin Luther King Core Building 2922 Martin Luther King Boulevard Dallas, Texas 75215	Martin Weiss Recreation Center 1111 Martindell Avenue Dallas, Texas 75211	Mountain Creek Library 6102 Mountain Creek Parkway Dallas, Texas 75249
Oak Cliff Sub-Courthouse 410 South Beckley Avenue Dallas, Texas 75203	Our Redeemer Lutheran Church 7611 Park Lane Dallas, Texas 75225	Paul L Dunbar Lancaster-Kiest Library 2008 East Kiest Boulevard Dallas, Texas 75216
Preston Royal Library 5626 Royal Lane Dallas, Texas 75229	Renner-Frankford Library 6400 Frankford Road Dallas, Texas 75252	Reverchon Recreation Center 3505 Maple Avenue Dallas, Texas 75219
Richardson Civic Center 411 West Arapaho Road Richardson, Texas 75080	Richland College – Garland Campus 675 West Walnut Street Garland, Texas 75040	Richland College – Main Campus Guadalupe “G” Building 12800 Abrams Road Dallas, Texas 75243
Rowlett City Hall Annex 4004 Main Street Rowlett, Texas 75088	Sachse City Hall 3815 Sachse Road, Building B Sachse, Texas 75048	Samuell Grand Recreation Center 6200 East Grand Avenue Dallas, Texas 75223

Seagoville City Hall
702 North Highway 175
Seagoville, Texas 75159

Skyline Branch Library
6006 Everglade Road
Dallas, Texas 75227

South Garland Branch Library
4845 Broadway Boulevard
Garland, Texas 75040

Sunnyvale Town Hall
127 North Collins Road
Sunnyvale, Texas 75182

Valley Ranch Library
401 Cimarron Trail
Irving, Texas 75063

Wilmer Community Center
101 Davidson Plaza
Wilmer, Texas 75172

(Provided by the Dallas County Elections Department. Subject to change.)

Temporary Branch Early Voting Location:

Monday – Friday, April 22, 2019, through April 26, 2019, 8:00 a.m. – 5:00 p.m.
Monday – Tuesday, April 29, 2019, through April 30, 2019, 7:00 a.m. – 7:00 p.m.

Highland Park ISD Administration Building
7015 Westchester Drive
Dallas, Texas 75205

(Provided by the Dallas County Elections Department. Subject to change.)