

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, TO REAUTHORIZE THE LOCAL SALES AND USE TAX AT A RATE OF ONE-FOURTH (1/4) OF ONE PERCENT AS APPROVED BY THE ELECTORATE ON NOVEMBER 3, 2015, TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS OR SIDEWALKS FOR A FOUR (4) YEAR PERIOD; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT WITH DALLAS AND DENTON COUNTY ELECTIONS DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has previously by election, adopted a sale and use tax to be used for street and road maintenance, respectively, which such tax will expire in 2020; and

WHEREAS, upon its expiration, it is the desire of the City to continue use of said sales and use tax for the purposes of maintenance and repair of municipal streets in the City of Coppel; and

WHEREAS, a citizen committee has been formed by the City Council that now recommends a consideration by the voters to extend the one-fourth (1/4) percent sales and use tax for continued maintenance and repair; and

WHEREAS, the City Council after due consideration desires to conduct an election on the uniform election date of November 5, 2019 to consider, reauthorize and continue use of one-fourth (1/4) of one percent sales and use tax for maintenance and repair of municipal streets or sidewalks as authorized by state law.

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

SECTION 1. That a special election is hereby ordered for November 5, 2019 to consider one (1) proposition, to wit: reauthorize and adopt a sales and use tax at the rate of one-fourth (1/4) of one percent, as previously approved by the electorate on November 3, 2015, for maintenance and repair of municipal streets in the City of Coppel. Such proposition is to be submitted to the qualified voters of the City for their approval or disapproval at a special election to be held on November 5, 2019.

SECTION 2. That notice of the election shall be posted on the bulletin board used to post notice of the City Council meetings and be published in a newspaper of general circulation in the City. That said notice must be published on the same day in each of two successive weeks, with the first publication occurring no earlier than the thirtieth day and no later than the fourteenth day before the date of the election. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

SECTION 3. The election on the proposed Charter amendment shall be conducted in accordance with an Election Contract between the City of Coppell and Dallas County Elections Department and Denton County Elections Department for the Special Election on November 5, 2019. That the City Manager is hereby authorized to execute the Election Contracts with the Counties of Dallas and Denton for the conduct of the election.

SECTION 4. That the City Secretary shall present the election returns to the City of Coppell City Council at a City Council meeting for the canvassing of said election in accordance with the Texas Election Code.

SECTION 5. Early voting by personal appearance for Dallas County and Denton County residents will be set forth as stated in the Joint Elections Contracts and posted on the City's webpage.

SECTION 6. That applications for early voting ballot by mail by Dallas County residents shall be mailed to: Toni Pippins-Poole, Chief Deputy Early Voting Clerk, Dallas County Elections Department; Health & Human Services Building, 2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207; to Denton County Elections Administration, 701 Kimberly Drive, Suite A101, Denton, TX 76208. Applications for early voting ballot by mail, if mailed, must be received no later than noon on October 25, 2019. Applications for early voting delivered by personal delivery shall be submitted to the Clerk's office no later than the close of business on November 5, 2019.

SECTION 7. In accordance with Section 123.001 of the Texas Election Code, the Direct Record and Optical Scan Voting Systems approved by the Secretary of State are hereby adopted for the special election on November 5, 2019.

SECTION 8. Pursuant to the Joint Election Contract, the County Elections Administrator shall serve as Election Administrator for the election. Presiding Election Judges and Alternate Presiding Election Judges appointed to serve at said polling places shall be those election officials furnished by the Elections Administrator from the list of proposed elections judges listed in an attachment to the Joint Election Contract.

SECTION 9. In compliance with Section 271.006 of the Texas Election Code, the City Secretary is Early Voting Clerk. The County Elections Administrator is appointed as Chief Deputy Early Voting Clerk. Other deputy early voting clerks will be appointed as

needed to process early voting mail and to conduct early voting by personal appearance at the branch locations.

SECTION 10. An Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.007 of the Texas Election Code. The Early Voting Ballot Board shall be made up of members appointed in the manner stated in the Joint Election Contract and the Presiding Judge and Alternate Presiding Judge of the Early Voting Board shall be the election officials listed in the Election Contract.

SECTION 11. Each amendment submitted must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote “for” or “against” the propositions without voting “for” or “against” both of said propositions.

SECTION 12. The ballot propositions for the proposed adoption of one-fourth of one percent of sales and use tax are as follows:

“Proposition 1

The reauthorization of the local sales and use tax in Coppell at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets or sidewalks. The tax expires on the 4th anniversary of the date of this election unless the imposition of the tax is reauthorized.

For: _____
Against _____”

SECTION 13. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 14. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Coppell, Texas, on the 23rd day of July, 2019.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/cbp)