ORDINANCE NO. _____

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF DEER PARK, TEXAS, ON MAY 2, 2020 TO SUBMIT A PROPOSITION ON THE QUESTION OF THE ADOPTION OF A TYPE B ADDITIONAL SALES AND USE TAX WITHIN THE CITY AT THE RATE OF ONE-HALF OF ONE PERCENT FOR AN ADDITIONAL PURPOSE; ESTABLISHING THE ELECTION PRECINCT FOR SUCH ELECTION; THE POLLING PLACE THEREFOR; PROVIDING FOR NOTICE.

WHEREAS, at an election on May 9, 2015 (the "2015 Election"), the voters in the City of Deer Park (the "City") approved a Type B economic development sales and use tax within the City at the rate of one-half of one percent as authorized by chapters 501 and 505 of the Texas Local Government Code; and

WHEREAS, the City Council of the City has determined than an election should be held within the City to authorize expenditure of Type B economic development sales and use tax revenues for a purpose in addition to the purpose approved by the voters at the 2015 Election as more specifically described in the proposition set forth below; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS:

1. An election shall be held in the City of Deer Park, Texas, on May 2, 2020, (the "Election") between the hours of 7:00 o'clock a.m. and 7:00 p.m. for the purpose of the adoption of a Type B additional sales and use tax within the City for an additional purpose as follows:

CITY OF DEER PARK – PROPOSITION A

> "Shall the City Council of the City of Deer Park be authorized to adopt the Type B economic development sales and use tax within the City at the rate of one-half of one percent, as authorized by chapters 501 and 505 of the Texas Local Government Code for the additional purpose of land, buildings, equipment, facilities, and improvements (including the maintenance and operating costs thereof) found by the board of directors of the Deer Park Community Development Corporation to be required or suitable for use for the following: amateur sports, children's sports, athletic, entertainment and public park purposes and events, including ball parks, parks and park facilities, and open space improvements (including (i) a community/recreation center with indoor pool, gymnasium, and indoor track and (ii) an outdoor pool and/or pool related facilities); related concession and automobile parking facilities; related roads, streets, and water and sewer facilities; and other related improvements that enhance any of the above?"

Said election shall be conducted using the E-Slate Machine.

2. The boundary lines of each Voting Precinct are hereby established for voting in the aforesaid election as per Ordinance No. 3068 of the City of Deer Park, adopted February 7, 2006.

3. The voting and polling place in the precinct for such election for all qualified voters living therein shall be at the following place in said City:

Precinct Number	**Polling Place**	**Location**
1	Deer Park Community Center	610 E. San Augustine

4. The following persons are appointed within their respective Voting Precincts to the election offices set forth below:

Precinct Number	**Presiding Judge**	**Alternate Judge**
1	Annette Osburn	Arbia Khalil

5. The following persons are hereby appointed for the following positions of the Early Voting Ballot Board:

Position	**Name**
Judge	Sonia Acosta
Clerk	Jessica Rackley

6. The following persons are hereby appointed as Central Counting Station Personnel for the election:

Position	**Name**
Manager	Shannon Bennett
Judge	Loretta French
Tabulation Manager	Sonia Acosta

7. The official ballots for the Election shall be prepared in accordance with Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, which shall be set forth on the ballots substantially in the following form:

CITY OF DEER PARK – PROPOSITION A

☐ FOR	)	"THE ADOPTION OF THE TYPE B ECONOMIC DEVELOPMENT SALES AND USE TAX WITHIN THE CITY AT THE RATE OF ONE-HALF OF ONE PERCENT, AS AUTHORIZED BY CHAPTERS 501 AND 505 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE ADDITIONAL PURPOSE OF LAND, BUILDINGS, EQUIPMENT, FACILITIES, AND IMPROVEMENTS (INCLUDING THE MAINTENANCE AND OPERATING COSTS THEREOF) FOUND BY THE BOARD OF DIRECTORS OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION TO BE REQUIRED OR SUITABLE FOR USE FOR THE FOLLOWING: AMATEUR SPORTS, CHILDREN'S SPORTS, ATHLETIC, ENTERTAINMENT AND PUBLIC PARK PURPOSES AND EVENTS, INCLUDING BALL PARKS, PARKS AND PARK FACILITIES, AND OPEN SPACE IMPROVEMENTS (INCLUDING (I) A COMMUNITY/RECREATION CENTER WITH INDOOR POOL, GYMNASIUM, AND INDOOR TRACK AND (II) AN OUTDOOR POOL AND/OR POOL RELATED FACILITIES); RELATED CONCESSION AND AUTOMOBILE PARKING FACILITIES; RELATED ROADS, STREETS, AND WATER AND SEWER FACILITIES; AND OTHER RELATED IMPROVEMENTS THAT ENHANCE ANY OF THE ABOVE?"
☐ AGAINST	)	

8. Early Voting Locations, Dates and Times.

(a) Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in [Exhibit A], attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the City. The Mayor or his designee is hereby authorized to update Exhibit A to reflect the locations designated by the County or the Elections Administrator, and such locations are hereby approved.

(b) The **City Secretary** is hereby appointed as the Early Voting Clerk. Applications for ballot by mail shall be mailed to: **Early Voting Clerk** ; Attention: **Shannon Bennett**; **PO Box 700, Deer Park, TX 77536**.

9. The City Secretary is hereby directed and instructed to post notice of election as prescribed by the Texas Election Law, Sec. 4.003 and Sec. 4.004. Said notices shall be posted at least twenty-one (21) days before the date of said election, and shall be published in the official city newspaper at least once, such publication to be no earlier than thirty (30) days before such election date and no later than ten (10) days before such election date.

10. The Presiding Judge is hereby authorized to appoint two (2) Clerks to assist in conducting said election, and as many more as he deems necessary for the proper conduct of such election, up to a maximum of six (6). The Presiding Judge shall receive twelve and no/100 dollars ($12.00) per hour for their services. The Alternate Judge shall receive eleven and no/100 dollars ($11.00) per hour for their services. The Clerk shall receive ten and no/100 dollars (10.00) per hour for their services. Neither Judges nor Clerks shall be paid more than one (1) hour before the opening of the Polls, nor more than two (2) hours after the closing of the Polls. The Judge or Clerk who delivers the returns of election shall be paid an amount not to exceed twenty-five and no/100 dollars ($25.00) for that service; provided, also, he shall make returns of the election. All of the aforesaid compensation shall be paid from the General Fund of the City.

11. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

12. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

13. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ___ day of _____, 2020 **by a vote of _____ "Ayes" and _____ "Noes".**

_____
MAYOR, City of Deer Park, Texas

ATTEST:

_____
City Secretary

APPROVED:

_____
City Attorney