

ORDINANCE NO. 2015-26

AN ORDINANCE ORDERING A SPECIAL ELECTION FOR THE CITY OF LEAGUE CITY, TEXAS ON TUESDAY, NOVEMBER 3, 2015, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF LEAGUE CITY A PROPOSITION AUTHORIZING THE CREATION OF THE LEAGUE CITY MUNICIPAL DEVELOPMENT DISTRICT AND THE IMPOSITION OF A SALES AND USE TAX OF ONE-FOURTH OF ONE PERCENT FOR THE PURPOSE OF FINANCING DEVELOPMENT PROJECTS BENEFICIAL TO THE DISTRICT; AND ESTABLISHING PROCEDURES THEREFORE.

WHEREAS, Chapter 377 of the Local Government Code provides that a municipality may call an election on the question of creating a municipal development district to plan, acquire, establish, develop, construct, or renovate one or more development projects beneficial to the district; and

WHEREAS, Chapter 377 of the Local Government Code provides that a municipality may create a municipal development district within all or part of the boundaries of the municipality and all or part of the municipality's extraterritorial jurisdiction; and

WHEREAS, the City has determined that an election should be held on the imposition of a sales and use tax at the rate of one-fourth of one percent for the purpose of financing development projects beneficial to the district; and

WHEREAS, by state law the uniform election date for the month of November falls on the first Tuesday after the first Monday, which in the year 2015 is Tuesday, November 3, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble to this ordinance are true and correct.

Section 2. The attached Election Order (Exhibit "A") is herein adopted, which declares and orders a Special Election be held in and throughout the City of League City and its extraterritorial jurisdiction on Tuesday, November 3, 2015, to submit to the registered voters of the City and its extraterritorial jurisdiction a proposition authorizing the creation of a League City Municipal Development District and the imposition of a sales and use tax of one-fourth (1/4) of one percent for the purpose of financing development projects beneficial to the district.

Section 3. All ordinances and parts of ordinances in conflict herewith are herein repealed to the extent of the conflict only.

APPROVED first reading the 14th day of July, 2015.

APPROVED second reading the \_\_\_\_ day of \_\_\_\_\_, 2015.

PASSED and ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2015.

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TIMOTHY PAULISSEN,  
Mayor

ATTEST:

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DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

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NGHIEM V. DOAN  
City Attorney

ORDINANCE NO. 2015 -  
EXHIBIT "A"

**ELECTION ORDER**

WHEREAS, Chapter 377 of the Local Government Code provides that a municipality may call an election on the question of creating a municipal development district to plan, acquire, establish, develop, construct, or renovate one or more development projects beneficial to the district; and

WHEREAS, Chapter 377 of the Local Government Code provides that a municipality may create a municipal development district within all or part of the boundaries of the municipality and all or part of the municipality's extraterritorial jurisdiction; and

WHEREAS, the City of League City, Texas (the "City") has determined that a Special Election (the "Election") should be held authorizing the creation of a municipal development district and the imposition of a sales and use tax of one-fourth of one percent for the purpose of financing development projects beneficial to the district; and

WHEREAS, by state law the uniform election date for the month of November falls on the first Tuesday after the first Monday which in the year 2015 is Tuesday, November 3, 2015.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That an Election be held on the question of creating the League City Municipal Development District, and the boundaries of said district (a) are defined as the corporate and extraterritorial jurisdiction boundaries of the City of League City, Texas, such that the district shall fully encompass all territory within the City of League City, Texas and its extraterritorial jurisdiction; and (b) shall conform automatically to any changes in the boundaries of the City of League City, Texas or its extraterritorial jurisdiction.

Section 2. Such Election shall be held within the boundaries of the proposed League City Municipal Development District, as defined above, in and throughout the City and its extraterritorial jurisdiction on Tuesday, November 3, 2015, between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.), at which Election the following proposition shall be submitted to the registered voters of the City and its extraterritorial jurisdiction, and the ballot shall be printed to permit voting for or against the proposition:

**PROPOSITION**

Authorizing the creation of the League City Municipal Development District and the imposition of a sales and use tax at the rate of one-fourth (1/4) of one percent for the purpose of financing development projects beneficial to the district.

Section 3. Such Election shall be held under the provisions of the Charter of the City, the Constitution and laws of the State of Texas, and of this ordinance. All registered voters residing in the City and in the City's extraterritorial jurisdiction shall be allowed to vote in the Election.

Section 4. The County of Galveston has been approved to conduct Vote Center elections on Election Day. This process allows voters to cast their votes at any Vote Center location within the County. Listed below are the locations within the City that the County of Galveston has used in the past:

Creekside Intermediate, 4320 W. Main (FM 518); and

Bauerschlag Elementary, 2051 Brittany Bay; and

Bay Colony Elementary, 101 Bay Colony Elementary Dr., Dickinson; and

North County Annex, 174 Calder Road; and

League City Intermediate, 2588 Webster St.; and

League City Civic Center, 400 West Walker Street; and

Hometown Heroes Park, 2105 Dickinson Ave; and

CCISD Admin Building, 2425 E. Main; and

Harborview Care Center, 300 Enterprise Ave.

Section 5. All voting locations shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

Section 6. The City will contract with the County of Galveston to conduct a joint election, for those voters residing within Galveston County. The City will contract with Harris County to conduct a joint election for those voters residing within Harris County. Therefore officers and clerks for the Elections shall be appointed by the appropriate County.

Section 7. Direct Recording Electronic (DRE) voting machines shall be used for voting in all polling places. Tabulation of all votes cast within Galveston County will be done at the Central Counting Station located at the Galveston County Clerk's Office at 600 59th Street, Galveston, Texas. Tabulation of all votes cast with Harris County will be done at the Central Counting Station located at the Harris County Clerk's Office at 1001 Preston, 4<sup>th</sup> Floor, Houston, Texas.

Section 8. Dwight D. Sullivan, County Clerk is hereby appointed Counting Station Manager at the Galveston County Clerk's Office. Stan Stanart, County Clerk is hereby appointed Counting Station Manager at the Harris County Clerk's Office. Diana M. Stapp is hereby appointed as general custodian of election records for the City of League City. Such officers and their designees shall have all the authority, duties and responsibilities as denoted in the Code.

Section 9. The City, in accordance with Section 32.002 of the Texas Election Code, may appoint one member of the Signature Verification Committee, the Early Voting Ballot Board, and the Ballot Resolution Board (BRB). The BRB is a non-statutory board that assists the Central Counting Station with the duplication of damaged ballots and email ballots submitted by members of the U.S. armed forces overseas and, where necessary, assists the Presiding Judge of the Central Counting Station in determining the intent of the voter in cases of over votes on mail ballots.

Section 10. The early voting location within the City for the Election shall be at the North Galveston County Building, 174 Calder Road, League City, Texas 77573, and any additional locations as may be determined by the County of Galveston. Such place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, October 19, 2015 through October 23, 2015, between the hours of 7:00 a.m. and 7:00 p.m. and on Monday through Friday, October 26, 2015 through October 30, 2015 between the hours of 7:00 a.m. and 7:00 p.m. for early voting.

Section 11. The early voting location for the Election for those voters who reside in Harris County shall be determined by Harris County. Such place of voting shall remain open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, October 19, 2015 through October 23, 2015, between the hours of 7:00 a.m. and 7:00 p.m. and on Monday through Friday, October 26, 2015 through October 30, 2015 between the hours of 7:00 a.m. and 7:00 p.m. for early voting.

Section 12. Pursuant to Section 5 above, the City has contracted with Galveston County and Harris County for the performance of election services on the City's behalf. Exact locations and times for voting each in each county shall be established pursuant to such contracts. Such times and locations shall be automatically amended without further action of the City Council to include additional or different early voting polling places and times designated by the respective election administrator of the Counties, and to conform to the respective election services agreements, the notices of the election shall be conformed to such final lists provided to the City by the respective election administrator.

Section 13. Early voting by personal appearance shall be by Direct Recording Electronic voting machines in accordance with Section 61.012 of the Texas Election Code.

Section 14. The early voting clerk's address to which ballot applications and ballots voted by mail for Galveston County residents may be sent is Dwight D. Sullivan, County Clerk, Galveston County Justice Center, 600 59<sup>th</sup> Street, 2<sup>nd</sup> Floor, Galveston, Texas 77551. Applications for ballots by mail must be received no later than 5:00 p.m. on October 23, 2015.

Section 15. The early voting clerk's address to which ballot applications and ballots voted by mail for Harris County residents may be sent is Stan Stanart, Harris County Clerk, P.O. Box 1148, Houston, Texas 77251-1148. Applications for ballots by mail must be received no later than 5:00 p.m. on October 23, 2015.

Section 16. The Mayor shall give notices of the Elections in accordance with the terms and provisions of Section 4.002, et seq., of the Code. Such notices shall state the nature and the date of the Election, the location of the polling places for each precinct, the hours that the polls will be open and other information required by law. The Mayor shall issue all necessary orders and writs for such Election, and returns of such Election shall be made to the City Council and City Secretary immediately after the closing of the polls.

Section 17. The City Attorney shall take such actions as required to have the City in compliance with the Federal Voting Rights Act.

Section 18. It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible

to the general public, and such notice having been so posted and remaining posted, continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting. A copy of the return of such posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SIGNED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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TIMOTHY PAULISSEN,  
Mayor

ATTEST:

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DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

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NGHIEM V. DOAN  
City Attorney