

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 26, 1980

80-3183

Agenda item 47: Ordinance calling an election on January 17, 1981 for the purpose of limiting the ad valorem tax rate and percentage of annual tax increase on individual properties

Councilman Tucker moved passage of the ordinance. Motion seconded.

After discussion, the question was called.

Voting Aye:	Folsom, Hicks, Blair, Medrano, Haggar, Tucker, Simpson, Stahl, Bartlett	- 9
Voting Nay:	Goldblatt	- 1
Absent when vote taken:	Heggins	- 1

Assigned ORDINANCE NO. 16771.



ROBERT S. SLOAN
City Secretary

See also: 80-2294
80-3397
81-0119

11/10/80

16771

ORDINANCE NO. _____

An Ordinance ordering a special election to be held in the city of Dallas, on the question of adoption of an amendment to Chapter XIX, Section 23 of the Charter of the city of Dallas limiting the ad valorem tax rate of the city to a maximum of forty cents (\$0.40) per one hundred dollars (\$100.00) of assessed value and limiting the percentage of annual increase of assessed taxes levied on property between any two adjacent years to a maximum of five percent (5%), not including additions or improvements to the property; designating January 17, 1981, as the date of the special election; prescribing the form of the ballot; designating polling places; providing for voting by machine; providing for absentee voting; providing for a special canvassing board to canvass absentee voting; providing for notice of the election; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a special election is ordered to be held in the city of Dallas, on January 17, 1981, between the hours of 7:00 o'clock A.M. and 7:00 o'clock P.M., for the purpose of submitting to the qualified voters of the city, a proposition

on whether Chapter XIX, Section 23 of the Charter of the city of Dallas should be amended to read as follows:

"Section 23 Tax Rate Limitation

The City Council shall have the power to levy and collect an annual ad valorem tax, for general purposes and for meeting interest and principal requirements of debt existing, including bonds previously authorized but not yet sold on all real, personal, and mixed property within the territorial limits of the City, not exempt from taxation by the Constitution and laws of the State of Texas, based upon its true and full market value in money as provided by law but subject to the following limitations:

(1) The maximum tax rate for all purposes shall be forty cents (\$0.40) per one hundred dollars (\$100.00) of assessed value;

(2) Regardless of the tax rate determined by the City Council as being the tax rate for any given year, the percentage of annual increase of assessed taxes levied on any said property shall not, between any two adjacent years, exceed five percent (5%) unless an addition or improvement (or diminution) is made to said property, then that increase (or decrease) in market value shall be added (or subtracted) to the assessed value of said property and said property shall be taxed accordingly;

(3) The severability provisions of Chapter XXIV, Section 20 of the City Charter shall be applicable to this section;

(4) This amendment is effective upon adoption."

SECTION 2. That voting machines shall be used for the special election in compliance with the provisions of the Election Code of the State of Texas, and the vote shall be upon an official ballot submitting the proposition in a form

substantially as follows:

PROPOSITION

Shall Chapter XIX, Section 23 of the Charter of the City of Dallas be amended to limit the advalorem tax rate of the city to a maximum of forty cents (\$0.40) per one hundred dollars (\$100.00) of assessed value and to limit the percentage of annual increase of assessed taxes levied on property between two adjacent years to a maximum of five percent (5%), not including additions or improvements to the property?

PROPOSICION

¿De si debe enmendar Capítulo XIX, Sección 23 de la Carta de la Ciudad de Dallas para limitar la cuota del impuesto "ad valorem" de la ciudad al máximo de cuarenta centavos (\$0.40) por cada cien dólares (\$100.00) de la tasación oficial y para limitar el porcentaje del aumento anual de tasados impuestos gravados sobre propiedad durante dos años contiguos a un máximo de cinco por ciento (5%), pero no incluyendo adiciones o mejoras a la propiedad?

Yes
Sí

No
No

SECTION 3. That the election shall be held in each of the voting precincts within the city. The polling places for each of the precincts are the locations listed in EXHIBIT A, attached to and made a part of this ordinance.

SECTION 4. That absentee ballots may be cast on a voting machine in the Dallas City Hall, 1500 Marilla Street, within the time prescribed by law; provided, however, that those qualified to vote but who are unable to personally cast an absentee ballot at the Dallas City Hall, may vote by paper ballot in accordance with the Election Code of the State of Texas.

SECTION 5. That a special canvassing board to canvas the absentee voting is hereby established, and the City Secretary, Robert Sloan, shall appoint a presiding judge and not more than four nor less than two clerks to serve on the board.

SECTION 6. That the Mayor, Robert S. Folsom, or in his absence or inability to act, the Mayor Pro Tem, is authorized and instructed to give notice of this special election by publication as required by state law in a newspaper of general circulation published in the city of Dallas.

SECTION 7. That any person qualified to vote and residing in the city of Dallas but not within any of the precincts described in EXHIBIT A, shall have the right to vote in the precinct nearest to his residence and for that purpose his residence shall be considered as part of that city voting precinct. Any person who has registered in any of the precincts listed in Section 3, but whose residence is not in the city of Dallas shall not be entitled to vote in the special election even though he may own property located in the city of Dallas subject to taxation and which he has rendered for taxation.

SECTION 8. That the manner of holding the election, making returns, and declaring the results shall be in accordance with the Constitution and laws of the State of Texas and the Charter and ordinances of the city of Dallas.

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SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LEE E. HOLT, City Attorney

BY *Amelia Muncy*

Passed and correctly enrolled

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