

ORDINANCE NO. 25-02-11-C

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS PROVIDING NOTICE AND ORDERING AN ELECTION AND ESTABLISHING PROCEDURES FOR SAID ELECTION TO BE HELD ON SATURDAY, MAY 3, 2025; THE ELECTION SHALL BE FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF DILLEY, TEXAS A PROPOSITION TO APPROVE OR REJECT GIVING AUTHORIZATION TO THE CITY COUNCIL OF THE CITY TO SELL THE NATURAL GAS UTILITY DISTRIBUTION SYSTEM OWNED BY THE CITY; PROVIDING OTHER MATTERS RELATED TO THE SPECIAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Dilley, Texas (“City”) owns a Natural Gas Utility Distribution System (“System”) that provides natural gas to the citizens of Dilley, Texas and other authorized users of the System; and

WHEREAS, Section 1502.055 of the Texas Government Code requires authorization by a majority vote of qualified voters of a municipality for a municipality to sell a utility system and that the election shall be held in the manner provided for bond elections in the municipality; and

WHEREAS, the City Council of the City of Dilley, Texas finds and determines that the calling of a special election for the purpose of submitting a proposition to approve or reject giving the City Council authorization to sell the Natural Gas Utility Distribution System owned by the City is reasonable and in the interest of the City; and

WHEREAS, the City Council hereby calls for a special election for the above stated purpose and sets forth the procedures and requirements for conducting said special election in accordance with the laws of the State of Texas and further provides that the Government Code and Election Code of the State of Texas are applicable to said election, and in order to comply with said Codes, a Ordinance and order should be passed ordering said election.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS:

SECTION 1. The City Council of the City of Dilley, Texas hereby orders a Special Election to be held on May 3, 2025, such day being the first Saturday in May 2025 and a uniform election date, for the purpose of submitting to the qualified voters of the City of Dilley, a proposition to approve or reject giving the City Council authority to sell the Natural Gas Utility Distribution System owned by the City.

SECTION 2. The ballot for the Special Election shall conform to the requirements of the Texas Government Code and Election Code and on such ballot shall appear the following proposition, with a provision permitting voters to vote “For” or “Against” a proposition without voting “For”

or "Against" all propositions on the ballot. Such proposition shall be expressed substantially as follows:

Proposition A.

Shall the City Council of the City of Dilley, Texas be authorized to sell the Natural Gas Utility Distribution System that is owned by the City of Dilley, Texas?

SECTION 3. All qualified voters of the City shall be entitled to vote in the Special Election.

SECTION 4. Voting on Election Day and during early voting shall be done using the Hart Voting System on Direct Record Election machines with ballot tabulation performed by the City Secretary. Voting by Mail shall be done on paper ballot.

SECTION 5. The polling place designated for Dilley voting in the May 3, 2025 Special Election shall be the City Hall located at 116 E. Miller St., Dilley, Texas and such polling place shall be open on said Election Day from 7:00 a.m. to 7:00 p.m.

SECTION 6. The polling place designated for Dilley Early Voting for the May 3, 2025 Special Election shall be the City Hall located at 116 E. Miller St., Dilley, Texas. Early Voting will be conducted beginning on Tuesday, April 22, 2025 and ending on Tuesday, April 29, 2025 between the hours of 8:00 a.m. and 7:00 p.m. On Tuesday, April 22, 2025 and Tuesday, April 29, 2025 early voting will be conducted between the hours of 8:00 a.m. and 7:00p.m.

SECTION 7. Applications for ballot by mail shall be mailed to the City Secretary, P.O. Box 230, Dilley, Texas 78017. Applications for ballots by mail must be received by the City Secretary no later than the closing of business day on Tuesday, April 22, 2025.

SECTION 8. Natasha Prado, City Secretary/Early Voting Clerk, is designated as the election officer to conduct the Early Voting for the Special Election from April 22, 2025 thru April 29, 2025. The Election Day Judge for May 3, 2025 shall appoint a sufficient number of clerks to assist in the proper conduct of the election and other persons to serve with him/her as the Early Voting Ballot Board and Election Day Judge.

SECTION 9. That notice of the May 3, 2025 Special Election of the City of Dilley shall be posted and published in accordance with the Election Code and the Government Code of the State of Texas.

SECTION 10. The Mayor is authorized to enter into a contract with Frio County Elections Administrator to order ballots and for the use of the election machine and committing to pay the fee charged by the Frio County Elections Administrator for such services.

SECTION 11. That the returns of said election be made in accordance with the State Election Code and shall be canvassed by the City Council at a Special City Council Meeting at a time to be set by Mayor in accordance with the Election Code of the State of Texas.

SECTION 12. Notice of the Election, stating in substance the contents of this Order, shall be published one time in the English and Spanish languages, in a newspaper published within the City's territory at least 10 days and no more than 30 days before the Election and as otherwise may be required by the Texas Election Code or the Texas Government Code. Notice of the Election shall also be posted on the bulletin board used by the City to post notices of the City's meetings no later than the 21st day before the Election. In addition, this Election Order and Notice shall be posted at three (3) public places in the City.

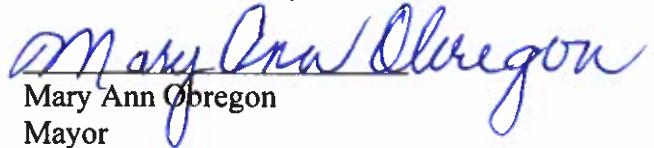
SECTION 13. The City Secretary shall serve a duly certified copy of this Election Order and Notice upon the Presiding Judge not later than the seventh day after the signing of this Election Order and Notice of General City Election or the 15th day before the General City Election, whichever is later.

SECTION 14. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this Order be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this Order, but in all respects said remaining portion shall be and remain in full force and effect.


SECTION 15. This ORDINANCE shall be effective immediately upon adoption.

PASSED AND APPROVED by the City Council of the City of Dilley, Texas on the 11th day of February, 2025.

CITY OF DILLEY, TEXAS


Mary Ann Obregon
Mayor

ATTEST:


Natasha Prado
City Secretary