

ORDINANCE NUMBER 2021-07-20

AN ORDINANCE OF THE CITY OF PAYNE SPRINGS, TEXAS ORDERING AN ELECTION TO BE HELD ON **NOVEMBER 2, 2021** FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY A PROPOSITION RELATING TO THE AUTHORIZATION AND IMPLEMENTATION OF A LOCAL SALES AND USE TAX IN THE CITY OF PAYNE SPRINGS AT THE RATE OF _____ PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; DESIGNATING ONE (1) ELECTION PRECINCT WITHIN THE CITY; DESIGNATING ONE (1) POLLING PLACE; PROVIDING FOR THE APPOINTMENT OF A PRESIDING ELECTION JUDGE AND ALTERNATE PRESIDING ELECTION JUDGE; ESTABLISHING OTHER PROCEDURES FOR CONDUCTING THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 327 of the Texas Tax Code allows the voters of the City of Payne Springs to approve a local sales tax rate for street maintenance and repair; and

WHEREAS, the ballot proposition proposes to authorize and implement the local sales and use tax in the City of Payne Springs, Texas at the rate of .25 percent (.25%) to provide revenue for the maintenance and repair of municipal streets; and

WHEREAS, the City Council of the City of Payne Springs deems it in the best interest of the City to call an election for the voters to consider a proposition relating to the authorization and implementation of .25 % to provide revenue for maintenance and repair of municipal streets; and

WHEREAS, the election is to be submitted to the qualified voters of the City at an election to be held in the City on the 2nd day of November, 2021; and

WHEREAS, the Texas Election Code is applicable to said election, and in order to comply with said Code, this Ordinance is being passed calling the election and establishing the procedures to be followed in said election, and designating the voting place for said election.

NOW THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS:

**Section I
Election Ordered**

A. An election shall be held on November 2, 2021, at which election there shall be submitted to the qualified voters of the City, for their action thereon, the following proposition regarding the authorization and implementation of a local sales and use tax in the City of Payne Springs at the rate of .25 % to provide revenue for maintenance and repair of municipal streets.

B. The ballot for the election on such proposition shall conform to the requirements of the Texas Election Code with provision thereon permitting voters to vote "For" or "Against" the proposition. Such proposition is as follows:

PROPOSITION

"The adoption of a local sales and use tax in the City of Payne Springs at the rate of .25 percent (.25 %) to provide revenue for maintenance and repair of municipal streets."

**Section II
Ballots and Printed Materials**

The ballots used for the election shall comply with the Texas Election Code and be in the form provided by the City to the Henderson County Election Officer (the "Election Officer") for use on the voting devices and ballots used by Henderson County. The official ballots, together with such other election materials as are required by the Texas Election Code, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

**Section III
Conduct of Election**

The Election Officer and his/her employees and appointees and the election judges, alternate Judges and clerks properly appointed for the election shall hold and conduct the election pursuant to the law governing the holding of general elections by general law cities of the State of Texas.

**Section IV
Election Precinct and Polling Place**

The present boundaries of the City of Payne Springs, Texas shall constitute one (1) precinct for the election, and the polls shall be open for voting at the following polling place:

POLLING PLACE
City of Payne Springs City Hall
19601 CR 2529
Payne Springs, TX 75156

**Section V
Early Voting**

A. Early voting by personal appearance shall be conducted in accordance with the agreement with Henderson County and in accordance with Sections 83.032 and 83.034 of the Texas Election Code.

B. The Early Voting Clerk shall keep the polling place open for early voting by personal appearance from 8:00 a.m. until 5:00 p.m. Monday through Friday, except official City holidays, commencing on Monday, October 18, 2021 and terminating on Friday, October 29, 2021. Hours for Early Voting shall be in accordance with all applicable state law.

C. The Early Voting Clerk's mailing address to which ballot applications and ballots voted by mail may be sent is Henderson County Clerk, 125 N. Prairieville St. #101, Athens, Texas, 75751. Applications for early voting by mail shall be delivered to the Early Voting Clerk not earlier than January 1, 2021 and not later than the close of business on October 22, 2021.

D. The Early Voting Clerk, in accordance with the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section VI Notice of Election

The City Secretary is hereby directed to provide notice of this election in accordance with the provisions of the Texas Election Code, and returns of such notice shall be made as provided for in said Election Code. The Mayor is empowered to issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.


Section VII General

The Election Officer shall hold said election in accordance with the Texas Election Code, and only resident qualified voters of the City shall be eligible to vote at said election. Returns of said election shall be made known as soon as possible after the closing of the polls.

Section VIII Effective Date; Election Code

This Ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Ordinance conflicts with, or is inconsistent with the Texas Elections Code, the Texas Election Code shall govern and control and the Election Officer shall comply with the Texas Elections Code.

PASSED AND APPROVED by the City Council of Payne Springs, Texas this
20th day of July, 2021.



Andrea Miller, Mayor Pro Tem
City of Payne Springs, Texas

ATTEST:



Beth Billings, City Secretary
City of Payne Springs, Texas