



ORIGINAL

ORDINANCE NO. 2011-08-26-A

AN ORDINANCE OF THE CITY OF RANGER, TEXAS, ORDERING AN ELECTION ON THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING FOR THE CONDUCT OF THE ELECTION; PROVIDING FOR EARLY VOTING; PROVIDING FOR POLLING PLACES; PROVIDING FOR ELECTION JUDGES; PROVIDING FOR NOTICE OF ELECTIONS; PROVIDING FOR THE METHOD OF VOTING; PROVIDING AN EFFECTIVE DATE; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Commission of the City of Ranger, Texas (the "City") hereby finds and determines that an election should be held to submit to the voters the question of reauthorizing the local sales and use tax at the rate of one-fourth of one percent to continue providing for maintenance and repair of municipal streets;

WHEREAS, the current local sales and use tax for maintenance and repair of municipal streets is one-fourth of one percent;

WHEREAS, the City is required by *Chapter 327, Tex. Tax Code*, to submit to the qualified voters of the City the question of reauthorizing the sales and use tax for maintenance and repair of municipal streets in order to continue to collect such tax; and

WHEREAS, the City has made provision to contract with the County Clerk of Eastland County (the "Eastland County Election Officer") to conduct the City's election, pursuant to *Chapter 31, Tex. Elec. Code*, and *Chapter 791, Tex. Gov't Code* (the "Election Agreement" or "contract"), and to hold a joint election with those political subdivisions that will hold an election on the same day in all or part of the same territory as the City, as authorized in *Chapter 271, Tex. Elec. Code*;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:

Section 1. Special Election Ordered. A special election is called and ordered to be held on the 8th day of November, 2011, the next uniform election date, in the City of Ranger, Texas, which date is not less than thirty (30) days from the date of the adoption of this ordinance for the purpose of submitting to the qualified voters of the City the following proposition: whether to reauthorize the local sales and use tax at the rate of one-fourth of one percent to continue providing for maintenance and repair of municipal streets.

Section 2. Effective Date of Tax If Approved. If approved by a majority vote of the registered voters of the City at such election, the proposed sales and use tax for maintenance and repair of municipal streets shall take effect as provided in §321.102, *et. seq.*, *Tex. Tax Code*.

Section 3. Ballots and Proposition. The ballots for the election shall comply with the *Tex. Elec. Code, Ch. 321 and 327, Tex. Tax Code*, and be in the form provided by the City to the Eastland County Election Officer for use on the voting devices and ballots used by Eastland County, provided that the votes shall be upon official ballots prepared in such a manner as will permit the voters to vote "For" or "Against" the proposition submitted, with the proposition to be expressed on the official ballot in a form substantially as follows:

PROPOSITION NO. 1

“THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF RANGER, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS”

For _____ Against _____

PROPOSICION NO. 1

“LA REAUTORIZACION DE IMPUESTOS LOCALES DE VENTA Y USO PARA LA CIUDAD DE RANGER, TEXAS AL UN CUARTO DEL UNO POR CIENTO PARA CONTINUAR PROVIENDO RECURSOS PARA LA MANENCION Y REPARACION DE CALLES MUNICIPALES”

A Favor _____ En Contra _____

Section 4. Printed Materials. The official ballots, together with such other election materials as are required by the *Tex. Elec. Code* and/or the *Tex. Tax Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as may be required by law.

Section 5. Notice of Election. Notice of the elections shall be given in the manner as provided in the *Texas Election Code*.

Section 6. General Conduct of Election. The Eastland County 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 in the manner provided by contract with the City and the law governing the holding of general elections by

home rule cities of the State of Texas; and the official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

The City Secretary, or designee, is instructed to aide the Eastland County Election Officer in the acquisition and furnishing of all election supplies and materials necessary to conduct the election as provided by the Election Agreement. The City Secretary is further authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Tex. Elec. Code*; provided that, pursuant to the Election Agreement between Eastland County and the City, the Eastland County Election Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the *Tex. Elec. Code*; and for providing all services specified to be provided in the Election Agreement. The Eastland County Election Officer shall give the notices required by the *Tex. Elec. Code* to be given for the election not required to be given by the City under the Election Agreement.

Section 7. Polling Place; Precincts. The election precincts for the election shall be the election precincts established by Eastland County, provided that each shall contain and include geographic area that is within the City. The polling place for each such election precinct shall be the polling place established by Eastland County for such election precincts in Eastland County and voting by residents of the City. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns for precincts in Eastland County will be provided by precinct and the Eastland County Election Officer shall tabulate and provide the election returns for the election.

Section 8. Early Voting. Early voting, both by personal appearance and by mail, will be conducted by the Eastland County Election Officer, who is designated and appointed as the Early Voting Clerk, in accordance with the *Texas Election Code*. Early voting by personal appearance shall be conducted at places and locations authorized by state law and the Eastland County Election Officer. Said places and locations of Early Voting shall remain open for Early Voting for at least eight hours on each day that is not a Saturday, a Sunday, or an official holiday, beginning on the 24th day of October 2011 and continuing through the 4th day of November, 2011, preceding the date of said election; provided that early voting shall be conducted for twelve consecutive hours on two weekdays during the early voting period.

Section 9. Election Judges and Alternates. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Eastland County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Eastland County and its appointees are hereby designated and appointed by the city council as the election officers, judges and clerks, respectively, for the holding of said general election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The city council will further confirm and appoint the election judges and alternate election judges that are appointed by Eastland County for the election.

Section 10. Notices. Not later than the 21st day before election day, a copy of the notice, which must include the location of each polling place, shall be posted on the bulletin board used for posting notices of the meetings of the Governing Body of the City of Ranger. The notice shall remain posted continuously through Election Day. Notice of the election shall also be given by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before Election Day in the official newspaper of the City.

Notice of the election shall be published in English and Spanish, in the manner required by law.

Section 11. General. Said election shall be held in accordance with both the *Texas Election Code* and the *Texas Tax Code*, and only resident qualified voters of said City shall be eligible to vote at said election. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of said election shall be made known as soon as possible after the closing of the polls.

Section 12. Effective Date. This ordinance shall be effective upon its passage by a majority vote of the City Council.

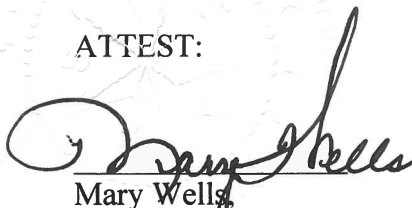
Section 13. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

PASSED AND APPROVED, this the 29th day of August, 2011.

PASSED AND FINALLY ADOPTED, this the 2nd day of September, 2011.

ATTEST:

CITY OF RANGER, TEXAS


Mary Wells
City Secretary


Raymond Hart, Mayor