

# VILLAGE OF WEBBERVILLE

## ORDINANCE NO. 2015 - 05

**AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD IN THE VILLAGE OF WEBBERVILLE, TEXAS ON NOVEMBER 3, 2015, THE TEXAS GENERAL ELECTION DAY (CONSTITUTIONAL), TO SUBMIT A PROPOSITION ON THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-FORTH (1/4) OF ONE PERCENT (1%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF SUCH ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS; PROVIDING FOR INVALIDITY, PROPER NOTICE AND PUBLIC MEETING, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Village Commission ("Commission") of the Village of Webberville, Texas ("Village") hereby finds and determines that an election should be held to determine whether to reauthorize the Commission to levy and collect a sales and use tax within the Village under provisions of Chapter 327, as amended, Texas Tax Code ("Act") for the maintenance and repair of municipal streets; and

**WHEREAS**, the Village intends to hold a special election in conjunction with the November 3, 2015 Texas General Election (Constitutional); and

**WHEREAS**, in accordance with the requirements of the Act, the combined rate of all local sales tax and use taxes imposed by the City and other political subdivisions having territory in the Village and will not exceed two percent (2%); and

**WHEREAS**, the Commission hereby finds and determines that the holding of this election on the aforementioned date is in the best interest of the citizens of the Village,

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF WEBBERVILLE, TEXAS THAT:**

### SECTION 1. PROPOSITION

An election shall be held on the 3<sup>rd</sup> day of November, 2015, the same day as the 2015 Texas General Election (Constitutional), in the Village of Webberville, Texas which date is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption of this ordinance ("Ordinance") for the purpose of submitting the following proposition to the qualified voters of the City:

## **PROPOSITION**

**THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE VILLAGE OF WEBBERVILLE, TEXAS AT THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT (1%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.**

## **PROPUESTA**

**LA REAUTORIZACIÓN DEL IMPUESTO SOBRE VENTAS Y USOS EN LA ALDEA DE WEBBERVILLE, TEXAS A RAZÓN DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROVEYENDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS VÍAS PÚBLICAS DEL MUNICIPIO.**

### **SECTION 2. CONTRACT WITH ELECTIONS DIVISION**

The joint election agreement and contract between Travis County and the Village of Webberville (the "Contract"), incorporated herein for all purposes, is hereby approved and the Village Mayor or his designee is authorized to execute any such Contract. In the event of a conflict between this Ordinance and such Contract, the Contract shall control.

### **SECTION 3. CONDUCT OF ELECTIONS**

- A. The Travis County Elections Administrator will conduct this election as a joint election with Travis County.
- B. Travis County will determine the locations of the precincts and polling places. Upon Travis County's determination, the Village of Webberville will post notice of these locations. For further information, the Travis County Elections Division should be contacted.

### **SECTION 4. ELECTION JUDGES**

The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

## **SECTION 5. EARLY VOTING**

The Travis County Election Administrator, ("Elections Administrator") is hereby designated as the Early Voting Clerk for the election. Early voting by personal appearance shall commence Monday, October 19, 2015 and shall continue until Friday, October 30, 2015. On at least two weekdays during the early voting period, the location for early voting shall be open for at least twelve (12) hours as mandated by state law. Early voting will be held at such times and locations as determined by the Elections Administrator.

## **SECTION 6. EARLY VOTING BY MAIL**

The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for early voting by mail may be delivered to: Travis County Early Voting Clerk, PO Box 149325, Austin, TX 78714-9325 or, if by use a contract carrier, applications can be delivered to: Travis County Early Voting Clerk, 5501 Airport Boulevard, Austin, TX 78751-1410, beginning Tuesday, September 1, 2015 (does not apply to FPCA = Federal Post Card Application) and must be received (not postmarked no later than by Friday, October 23, 2015. The Village Clerk is hereby directed to forward applications and ballots that are received by her to the Elections Administrator.

## **SECTION 7. BALLOTS**

The official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote "FOR" or "AGAINST" the aforesaid proposition, which shall appear on the ballot substantially as follows:

**"THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE VILLAGE OF WEBBERVILLE, TEXAS, AT THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT (1%) TO CONTINUE PROVIDING REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS."**

**"LA REAUTORIZACIÓN DEL IMPUESTO SOBRE VENTAS Y USOS EN LA ALDEA DE WEBBERVILLE, TEXAS A RAZÓN DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROVEYENDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS VÍAS PÚBLICAS DEL MUNICIPIO."**

## **SECTION 8. QUALIFIED ELECTORS**

All resident qualified electors of the City shall be permitted to vote at said election and, on the day of the election, such electors shall vote at the polling place designated for the Election Precinct.

## **SECTION 9. ELECTION NOTICE**

A proper notice of this election, including a Spanish translation thereof, shall be posted not later than the 21<sup>st</sup> day before the election on the bulletin board used for posting notices of meetings of the Village Commission and shall also be published at least once and not earlier than the 30<sup>th</sup> day nor later than the 10<sup>th</sup> day before the election in a newspaper of general circulation in the Village.

## **SECTION 10. NECESSARY EXPENDITURES**

All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Contract and the Code.

## **SECTION 11. RECITALS INCORPORATED**

The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

## **SECTION 12. CONFLICTING ORDINANCES OR RESOLUTIONS**

All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

## **SECTION 13. INVALIDITY**

If any provisions of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Village Commission hereby declares that this Ordinance would have been enacted without such invalid provision.

## **SECTION 14. PROPER MEETING**

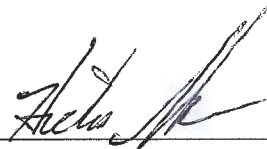
It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place,

and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 15. EFFECTIVE DATE**

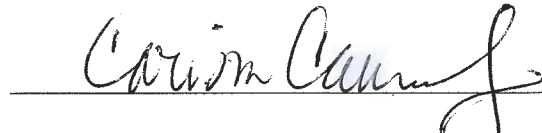
This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

**PASSED AND ADOPTED this, the 19<sup>th</sup> day of August, 2015, at a Meeting of the Village Commission of the Village of Webberville, Texas.**



HECTOR GONZALES, MAYOR

ATTEST:



CARISSA CANNADAY, VILLAGE CLERK