

ORDINANCE NO. 021116-01

AN ORDINANCE OF THE CITY OF SELMA, TEXAS ORDERING A SPECIAL ELECTION ON MAY 7, 2016, ON THE REAUTHORIZATION OF A LOCAL SALES AND USE TAX IN THE CITY OF SELMA, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Selma, Texas (the City) hereby finds and determines that a Special Election should be held to determine whether it shall be reauthorized to continue to impose a local sales and use tax at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELMA, TEXAS, THAT:

SECTION 1. A Special Election shall be held on the 7th day of May, 2016, the next uniform election date in the City of Selma, Texas, which is not less than thirty (30) days from the date of the adoption of this ordinance, for the purpose of submitting the following measure to qualified voters of the City:

MEASURE

The reauthorization of the local sales and use tax in the City of Selma, Texas at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.

SECTION 2. The City plans to enter into a Contract for Election Services with Guadalupe County in regard to the Guadalupe County Elections Administrator providing various services for the election, including, without limitation, procuring and distributing election supplies, procuring and paying election judges and clerks for early voting polling places, and for election day, procuring early voting polling places and election day polling places, providing equipment, providing overall supervision of the election, conducting early voting (including, without limitation, establishing the dates, times, and places for early voting), and providing other related services.

SECTION 3. To the extent that such Contract for Election Services with Guadalupe County does not cover the following matters, then the following election-related matters shall apply, provided that any conflict shall be resolved by reference to such Contract for Election Services with Guadalupe County:

The entire City shall have one election precinct location for holding the election. The polling place designated for holding the election shall be City Hall, 9375 Corporate Drive, Selma, Texas 78154. The

City Council shall appoint the Presiding Judge and the Alternate Presiding Judge not later than March 25, 2016. The Presiding Judge shall appoint not less than two (2) nor more than four (4) resident qualified electors of the City to act as clerks to properly conduct the election. However, if the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge named above, the Alternate Presiding Judge shall perform the duties of the Presiding Judge.

Oral assistance in Spanish shall be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the Presiding Judge or the Early Voting Clerk.

The election shall be held in the City as prescribed by the applicable law and on the day of the election, the polls shall be open from 7:00 o'clock a.m. to 7:00 o'clock p.m.

Early voting shall be conducted at City Hall, 9375 Corporate Drive, Selma, Texas 78154, on April 25 through April 29, 2016, and on May 2 and May 3, 2016. Lisa Adam, whose mailing address is 215 S. Milam, Seguin, Texas 78155, shall serve as the Early Voting Clerk. Permanent employees of the Guadalupe County Elections Administrator are hereby appointed as Deputy Early Voting Clerks. Early voting shall be conducted from 8:00 o'clock a.m. to 5:00 o'clock p.m. on April 25, 2016 through April 29, 2016, and from 7:00 o'clock a.m. to 7:00 o'clock p.m. on May 2, 2016 and May 3, 2016, all as provided by applicable provisions of the Texas Election Code.

The Early Voting Ballot Board shall consist of the Presiding Judge and Alternate Presiding Judge and other members, appointed by the Presiding Judge, who are eligible to serve in accordance with the Texas Election Code. Early voting ballots shall be canvassed by the Early Voting Ballot Board.

SECTION 4. Voting in the election for the proposition shall be by the use of an electronic voting system which will be in both English and Spanish and which shall conform to the requirements of the Texas Election Code. The ballots shall be printed to permit electors to vote For or Against the aforesaid proposition which shall appear on the ballot substantially as follows:

PROPOSITION

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF SELMA, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

SECTION 5. All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election, such electors shall vote at the designated polling place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Texas Local Government Code, as amended, and as may be required by any other law.

All election materials and proceedings shall be printed in both English and Spanish.

SECTION 6. 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 Selma. 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 7. 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 City Council.

SECTION 8. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision 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.

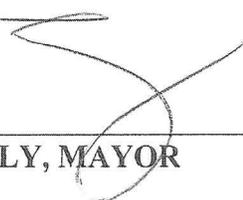
SECTION 9. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10. If any provision of this Ordinance or the application thereof to any person or circumstances 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 this City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 11. 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 12. This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

PASSED AND ADOPTED on the 11th day of February, 2016.



TOM DALY, MAYOR

ATTEST:



JOHNNY CASIAS, CITY SECRETARY