



**ORDINANCE NO. E 17-08 #2**

**AN ORDINANCE CALLING AND ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF NOLANVILLE, TEXAS IN CONJUNCTION WITH THE TEXAS GENERAL ELECTION ON NOVEMBER 7, 2017 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 THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF SUCH ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS; FINDING PROPER NOTICE AND MEETING, AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the City intends to hold a special election in conjunction with the November 7, 2017 Texas General Election; 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 City and will not exceed two (2) percent; and

**WHEREAS**, the Council hereby finds and determines that the holding of this election on the date set forth below in the best interest of the citizens of the City;

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

**SECTION 1. PROPOSITION**

A special election shall be held on the 7<sup>th</sup> day of November, 2017, a uniform election date, in the City of Nolanville, Texas which date is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption of this ordinance (the "Ordinance"). An Election Order, in English and Spanish, attached hereto as Exhibit "A" and Anexo "A," are incorporated by reference herein, and are hereby adopted and ordered. The special election shall be 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 CITY OF NOLANVILLE, TEXAS AT THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT (1%) 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.”

**PROPUESTA**

LA REAUTORIZACIÓN DEL IMPUESTO DE VENTAS Y USOS LOCALES EN LA CIUDAD DE NOLANVILLE, TEXAS A RAZÓN DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS VÍAS PÚBLICAS DEL MUNICIPIO. EL IMPUESTO CADUCARÁ EN EL CUARTO ANIVERSARIO DE LA FECHA DE ESTA ELECCIÓN A NO SER QUE DICHO IMPUESTO SEA REAUTORIZADO.

**SECTION 2. CONTRACT WITH BELL COUNTY**

The joint election agreement and contract between Bell County and the City of Nolanville (the “Contract”) and incorporated herein for all purposes is hereby approved and the City Secretary is authorized to execute the Contract. In the event of a conflict between this Ordinance and the Contract, the Contract shall control.

**SECTION 3. CONDUCT OF ELECTIONS**

The Election Day polling place for this joint election is designated pursuant to Section 271.003 of the Texas Election Code, and the Council finds that the following location can most adequately and conveniently serve the voters in this election, and that this location will facilitate the orderly conduct of the election:

**Polling Location:**

**JW Sims Community Center  
408 North 10<sup>th</sup> Street  
Nolanville, Texas 76559**

**City Precinct**

**111**

**SECTION 4. ELECTION JUDGES**

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

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## **SECTION 5. EARLY VOTING**

Shawn Snyder, the Bell County Election Administrator, ("Elections Administrator") is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence October 23, 2017 and shall continue until November 3, 2017. 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 locations will be held at the Bell County Courthouse Annex, 550 East 2<sup>nd</sup> Avenue, Belton; Salado Civic Center, 601 North Main Street, Salado; Bell County Annex, 205 East Central Avenue, Temple; Parks & Recreation Center, 307 Miller's Crossing, Harker Heights; Bell County Courthouse Annex, 301 Priest Drive, Killeen; and Killeen Community Center, 2201 E Veterans Memorial Boulevard, Killeen; between the hours of 8:00 a.m. and 5:00 p.m. October 23, 2017 through October 27, 2017; 7:00 a.m. through 7:00 p.m. Saturday, October 28 2017; 12:00 p.m. through 5:00 p.m. Sunday, October 29, 2017; 7:00 a.m. through 7:00 p.m. October 30, 2017 through November 3, 2017.

## **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 Shawn Snyder, Bell County Elections Administrator, P.O. Box 1629, Belton, Texas 76513, not earlier than October 23, 2017 and not later than close of business on October 27, 2017, if delivered in person, and if delivered by mail ballot must be received not postmarked. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots that are received to the Elections Administrator as provided in the Contract.

## **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 CITY OF NOLANVILLE, TEXAS AT THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT (1%) 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."

“LA REAUTORIZACIÓN DEL IMPUESTO DE VENTAS Y USOS LOCALES EN LA CIUDAD DE NOLANVILLE, TEXAS A RAZÓN DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS VÍAS PÚBLICAS DEL MUNICIPIO. EL IMPUESTO CADUCARÁ EN EL CUARTO ANIVERSARIO DE LA FECHA DE ESTA ELECCIÓN A NO SER QUE DICHO IMPUESTO SEA REAUTORIZADO.”

#### **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 City Council 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 City.

#### **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

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application of such provision to other persons and circumstances shall nevertheless be valid, and this Council 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 18<sup>th</sup> day of August, 2017, at a Regular Meeting of the City Council of the City of Nolanville, Texas

  
Christina Rosenthal, Mayor



ATTEST:

  
Crystal Briggs, City Secretary

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**Exhibit "A"**

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EXHIBIT A

ORDER OF SPECIAL ELECTION

A special election is hereby ordered to be held on November 7, 2017, 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 CITY OF NOLANVILLE, TEXAS AT THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT (1%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.”

**Early voting by personal appearance will be conducted as follows:**

Early voting locations will be held at the Bell County Courthouse Annex, 550 East 2<sup>nd</sup> Avenue, Belton; Salado Civic Center, 601 North Main Street, Salado; Bell County Annex, 205 East Central Avenue, Temple; Parks & Recreation Center, 307 Miller’s Crossing, Harker Heights; Bell County Courthouse Annex, 301 Priest Drive, Killeen; and Killeen Community Center, 2201 E Veterans Memorial Boulevard, Killeen; between the hours of 8:00 a.m. and 5:00 p.m. October 23, 2017 through October 27, 2017; 7:00 a.m. through 7:00 p.m. Saturday, October 28 2017; 12:00 p.m. through 5:00 p.m. Sunday, October 29, 2017; 7:00 a.m. through 7:00 p.m. October 30, 2017 through November 3, 2017.


Ballot applications and ballots voted by mail may be sent to Bell County Clerk, Attention: Elections Department, P.O. Box 1629, Belton, Texas 76513. Applications for ballots by mail must be received no later than the close of business on October 27, 2017.

Issued this 18 day of August, 2017.



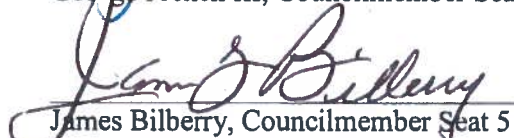
  
Christina Rosenthal, Mayor

  
Lawrence Butch Reis, Mayor Pro-tem

  
Joan Hinshaw, Councilmember Seat 1

  
George French III, Councilmember Seat 3

  
David Williams, Councilmember Seat 4

  
James Bilberry, Councilmember Seat 5

**Anexo "A"**

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Anexo "A"

**ORDEN DE ELECCIÓN ESPECIAL**

Por la presente se ordena que se lleve a cabo una elección especial el 7 de noviembre, 2017 con el propósito de someter la siguiente propuesta a los votantes calificados de la Ciudad:

**PROPUESTA**

LA REAUTORIZACIÓN DEL IMPUESTO DE VENTAS Y USOS LOCALES EN LA CIUDAD DE NOLANVILLE, TEXAS A RAZÓN DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS VÍAS PÚBLICAS DEL MUNICIPIO. EL IMPUESTO CADUCARÁ EN EL CUARTO ANIVERSARIO DE LA FECHA DE ESTA ELECCIÓN A NO SER QUE DICHO IMPUESTO SEA REAUTORIZADO.

La votación adelantada en persona se llevará a cabo de la siguiente manera:

La votación adelanta tomará lugar en las siguientes ubicaciones: el Bell County Courthouse Annex, 550 East 2<sup>nd</sup> Avenue, Belton; Salado Civic Center; 601 North Main Street, Salado; Bell County Annex, 205 East Central Avenue, Temple; Parks & Recreation Center, 307 Miller's Crossing, Harker Heights; Bell County Courthouse Annex, 301 Priest Drive, Killeen; y Killeen Community Center, 2201 E Veterans Memorial Boulevard, Killeen; entre las horas de 8:00 a.m. y 5:00 p.m. del 23 de octubre, 2017 al 27 de octubre, 2017; entre las horas de 7:00 a.m. a 7:00 p.m. el sábado 28 de octubre, 2017; de 12:00 p.m. a 5:00 p.m. el domingo 29 de octubre, 2017, y de 7:00 a.m. a 7:00 p.m. desde el 30 de octubre, 2017 al 3 de noviembre, 2017.

Se puede solicitar una boleta para votar por correo y se puede votar con dichas boletas por correo dirigidas al Bell County Clerk, Attention: Elections Department, P.O. Box 1629, Belton, Texas 76513. Solicitudes de boletas para votar por correo deben ser recibidas a no más tardar hasta el cierre de oficina el 27 de octubre, 2017.

Emitida este día 18 de Agosto, 2017.

Christina Rosenthal, Alcaldesa

Joan Hinshaw, Concejal, Puesto 1

David Williams, Concejal, Puesto 4

Lawrence Buck Reynolds, Alcalde pro-tem

George French III, Concejal, Puesto 3

James Bilberry, Concejal, Puesto 5



**ORDEN DE ELECCIÓN ESPECIAL 2017**

18 de agosto, 2017