

ORDINANCE NO. 2022.01.18B

AN ORDINANCE OF THE CITY OF SHALLOWATER, TEXAS ORDERING A SPECIAL ELECTION ON THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF SHALLOWATER, TEXAS AT THE RATE OF ONE AND ONE-HALF PERCENT (1.5%); MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Shallowater, Texas (the "City"), located in Lubbock County, Texas hereby finds and determines that an election should be held to determine whether it shall be authorized to impose a local sales and use tax at the rate of one and one-half percent (1.5%) as authorized by Chapter 321 of the Texas Tax Code, with Aldermen J. White, T. White, Cody voting in favor; and

Alderman Bruegel against and Alderman Yeager absent.
WHEREAS, the City has made provision to contract with the Lubbock County to conduct the City's election 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.

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

Section 1. An election shall be held on the 7th day of May, 2022, the next uniform election date, for the purpose of submitting the following measure to the qualified voters of the City:

MEASURE: "The adoption of a sales and use tax within the city at the rate of one and one-half (1.5) percent."

Section 2. The Lubbock County Elections Administrator, her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in accordance with the agreement for election services and applicable state law.

Section 3. The entire City shall constitute one election precinct for holding the election. The polling place designated for holding the election shall be the polling places established by Lubbock County and shall be open on Election Day for the period of time specified in the Texas Election Code. Lubbock County will use vote centers which will allow qualified electors to vote at any Lubbock County voting location on Election Day.

Section 4. Early voting will be conducted by the Lubbock County Elections Administrator, who is hereby designated and appointed as the Early Voting Clerk for the special elections ordered by the City. Early voting by City residents shall be held at such times and locations authorized by the Elections Administrator and in accordance with state law. Electors can go to any Lubbock County voting location to participate in early voting. Early voting shall commence on the dates and times noticed by the Elections Administrator that is in accordance with state law.

Section 5. The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Lubbock County in compliance with the requirements of state law, and

are hereby designated and appointed election officers for the holding of the special elections ordered by the City.

Section 6. The City agrees to conduct a joint election with other political subdivisions in Lubbock County.

Section 7. Voting in the election for the propositions shall be by the use of ballots prepared by the Lubbock County Elections Administrator, which will conform with 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:

CITY OF SHALLOWATER PROPOSITION A

"A SALES AND USE TAX IS ADOPTED WITHIN THE CITY AT THE RATE OF ONE AND ONE-HALF (1.5) PERCENT"

FOR _____ AGAINST _____

PROPOSICION A

"SE ADOPTA UN IMPUESTO SOBRE VENTAS Y USO DENTRO DE LA CIUDAD CON UNA TASA DE UNO Y MEDIO POR CIENTO"

A FAVOR _____ EN | CONTRA _____

Section 8. 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 places(s). The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and as may be required by any other law. Returns of the election shall be made known as soon as possible after the closing of the polls; and the elections returns shall be canvassed by the City Council according to law.

Section 9. 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 by the City. The notice shall remain posted continuously through Election Day. Notice of the election shall also be given by publishing the notice pursuant to state law.

Section 10. The Mayor is authorized to sign an order for this election that complies with the Texas Election Code and to post such order in the location where City Council agendas are posted.

Section 11. 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 part of the judgment and findings of the City Council.

Section 12. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of the 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. If any provision of the 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.

Section 14. It is officially found, determined, and declared that the meeting at which this special election 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 the calling of this special election, was given, as required by the Texas Government Code.

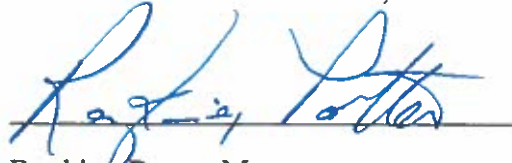
PASSED AND ADOPTED, this 18th day of January, 2022.

ATTEST:

CITY OF SHALLOWATER, TEXAS



Amanda Cummings, City Secretary



Royking Potter, Mayor

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