



ORDINANCE NO. E 21-08 #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 2, 2021 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, Chapter 327 of the Texas Tax Code authorizes cities to impose a local sales and use tax rate for funds dedicated to street maintenance and repair upon a properly held election approving the same; and

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 2, 2021 Texas General Election; and

WHEREAS, the combined rate of all local sales tax and use taxes imposed by the City and other political subdivisions having territory in the City 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 is in the best interest of the citizens of the City;

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

SECTION 1. SPECIAL ELECTION ORDERED - PROPOSITION

A special election shall be held on the 2nd day of November, 2021, a uniform election date, in the City of Nolanville, Texas, to determine whether or not there shall be a 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 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. A Special Election Order, in English and Spanish, attached hereto as Exhibit "A" and Anexo "A," is incorporated by reference herein, and is 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 LOCAL SOBRE LAS VENTAS Y USO EN LA CIUDAD DE NOLANVILLE, TEXAS A UNA TASA DE UN-CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS CALLES 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 City election precincts and polling places designated for Election Day are identified in the attached Order of Special Election, attached hereto as Exhibit "A" and Anexo "A," and such attachment is incorporated herein by reference for all purposes. The polling places shall be kept open from 7:00 a.m. to 7:00 p.m.

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.

SECTION 5. EARLY VOTING

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 18, 2021 and shall continue until October 29, 2021. 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 Bell County Courthouse Annex, 550 East 2nd Avenue, Belton; Bell County Annex, 205 East Central Avenue, Temple; Parks & Recreation Center, 307 Miller’s Crossing, Harker Heights; Bell County Annex, 304 Priest Drive, Killeen; Killeen Community Center, 2201 E. Veterans Memorial Boulevard, Killeen; and Salado Church of Christ, 217 North Stagecoach, Salado; between the hours of 8:00 a.m. and 5:00 p.m. October 18, 2021 through October 22, 2021; 7:00 a.m. through 7:00 p.m. Saturday, October 23 2021; 12:00 p.m. through 5:00 p.m. Sunday, October 24, 2021; 7:00 a.m. through 7:00 p.m. October 25, 2021 through October 29, 2021.

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 Matthew Dutton, Interim Bell County Elections Administrator, P.O. Box 1629, Belton, Texas 76513, not later than close of business on October 22, 2021, 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.

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 LOCAL SOBRE LAS VENTAS Y USO EN LA CIUDAD DE NOLANVILLE, TEXAS A UNA TASA DE UN CUARTO (1/4) DE UN PORCIENTO (1%) PARA CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y LA REPARACIÓN DE LAS CALLES 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 21st day before the election on the bulletin board and City's Website used for posting notices of meetings of the City Council and shall also be published at least once and not earlier than the 30th day nor later than the 10th 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 therefor, 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 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 5th day of August, 2021, at a Regular Meeting of the City Council of the City of Nolanville, Texas

ATTEST:


Andy Williams, Mayor


Crystal Briggs, City Secretary





**EXHIBIT A
(ANEXO A)**

ORDER OF ELECTION

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on Tuesday, November 2, 2021, for voting in a Special Election for the reauthorization of the local sales and use tax in the City of Nolanville at the rate of one fourth (1/4) of one percent (1%) to continue providing revenue for maintenance and repair of municipal streets.

(Notifíquese por la presente, que las casillas electorales citadas abajo se abrirán desde las 7:00a.m. a las 7:00p.m. el martes, el 2 de noviembre de 2021, para votar en la Elección Especial para la reautorización del impuesto local sobre las ventas y uso en la Ciudad de Nolanville a una tasa de un cuarto (1/4) de un por ciento (1%) para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales.)

**LOCATIONS OF POLLING PLACES
(LAS DIRECCIONES DE LOS LUGARES DE VOTACIÓN)**

JW Sims Community Center 408 North 10 th Street Nolanville, Texas 76559	Precinct 111/Vote Site 10 <i>(Precinto 111sitio de la votación 10)</i>
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Registered voters of City of Nolanville may vote at any designated Bell County polling place. The complete list of Bell County Election Day polling places is available at https://www.bellcountytexas.com/departments/elections/polling_locations.php

(Los votantes registrados de la Ciudad de Nolanville pueden ir a votar en cualquier puesto designado en el condado de Bell. La lista completa de casillas electorales para el Día de Elección de Condado de Bell está disponible en https://www.bellcountytexas.com/departments/elections/polling_locations.php)

**EARLY VOTING LOCATIONS
(UBICACIONES DE VOTACIÓN ADELANTADA)**

Early voting will be held at Bell County Courthouse Annex, 550 East 2nd Avenue, Belton; Bell County Annex, 205 East Central Avenue, Temple; Parks & Recreation Center, 307 Miller's Crossing, Harker Heights; Bell County Annex, 304 Priest Drive, Killeen; Killeen Community

Center, 2201 E. Veterans Memorial Boulevard, Killeen; and Salado Church of Christ, 217 North Stagecoach, Salado; between the hours of 8:00 a.m. and 5:00 p.m. October 18, 2021 through October 22, 2021; 7:00 a.m. through 7:00 p.m. Saturday, October 23 2021; 12:00 p.m. through 5:00 p.m. Sunday, October 24, 2021; 7:00 a.m. through 7:00 p.m. October 25, 2021 through October 29, 2021.

(Votación anticipada se llevará a cabo en Bell County Courthouse Annex, 550 East 2nd Avenue, Belton; Anexo del Condado de Bell, 205 East Central Avenue, Temple; Centro de Parques y Recreación, 307 Miller's Crossing, Harker Heights; Anexo del Condado de Bell, 304 Priest Drive, Killeen; Centro Comunitario de Killeen, 2201 E. Veterans Memorial Boulevard, Killeen; y la Iglesia de Cristo de Salado, 217 North Stagecoach, Salado; entre las 8:00 a.m. y las 5:00 p.m. del 18 de octubre de 2021 al 22 de octubre de 2021; 7:00 a.m. a 7:00 p.m. del sábado 23 de octubre de 2021; 12:00 pm. hasta las 5:00 p.m. del domingo 24 de octubre de 2021; 7:00 a.m. a 7:00 p.m. del 25 de octubre de 2021 al 29 de octubre de 2021.)

BALLOTS BY MAIL

(BOLETAS PARA VOTACIÓN EN AUSENCIA POR CORREO)

Applications for ballot by mail shall be mailed to:

(Las solicitudes para boletas de votación por correo deberán enviarse a:)

Bell County Clerk
Attention: Elections Department
P.O. Box 1629
Belton, Texas 76513

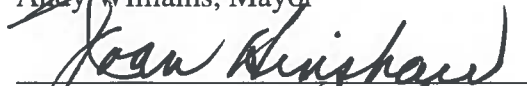
Applications for ballots by mail must be received no later than the close of business on October 22, 2021.

(Las solicitudes de boletas electorales por correo deben recibirse a más tardar al cierre de operaciones el 22 de octubre de 2021.)

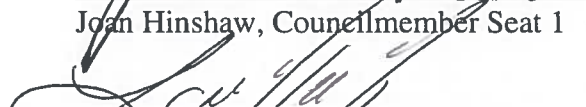
Issued this 5th day of August, 2021.
(Emitida este día el 5 de Agosto de 2021.)




Andy Williams, Mayor



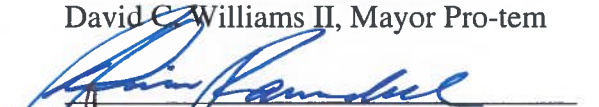
Joan Hinshaw, Councilmember Seat 1



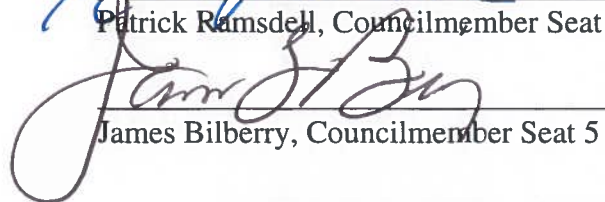
Lawrence Reis, Councilmember Seat 4



David C. Williams II, Mayor Pro-tem



Patrick Ramsdell, Councilmember Seat 3



James Bilberry, Councilmember Seat 5