

STATE OF TEXAS X
COUNTY OF BEXAR X
CITY OF CONVERSE X

ORDINANCE NO. 224-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONVERSE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 6TH DAY OF NOVEMBER 2018, TO SUBMIT A PROPOSITION TO DECREASE THE SECTION 4B SALES AND USE TAX BY ¼ PERCENT; AND ADOPTING A STREET MAINTENANCE AND REPAIR SALES AND USE TAX AT THE RATE OF ¼ PERCENT; AND ORDERING NOTICE OF ELECTION.

WHEREAS, The City of Converse Texas is a Home Rule municipality located in Bexar County created in the accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, Chapter 327 of the Texas Tax Code permits the City to adopt a local sales and use tax to provide for street maintenance and repair if the tax is authorized by a majority of the qualified voters; and

WHEREAS, The City Council has previously established the Converse Economic Development Corporation (CEDC) created pursuant the Development Corporation Act, which collects sales tax equal 1/2 percent; and

WHEREAS, The City Council has determined that though the continued existence of the CEDC provides significant benefits to the City and the City's citizens, and that the CEDC should be continued, that the establishment and collection of a street maintenance tax in the amount of 1/4 percent, would benefit the City and the City's citizens more than continuing the 1/2 percent, for Economic Development purposes and

WHEREAS, the City Council wishes to establish a municipal sales and use tax for street maintenance in the amount of one-quarter of one percent 1/4 percent, and to reduce the sales and use tax collected by the CEDC from 1/2 percent to 1/4 percent but does not wish to so reduce the sales tax collected by the CEDC unless a street maintenance tax as described above is approved; and

WHEREAS, the City Council desires to hold an election on the question of whether to reduce the amount of tax revenue currently allocated to the CEDC from 1/2 percent to 1/4 percent provided that such election proposition can be submitted to the voters as a combined ballot with the question of whether a street maintenance tax in the amount of 1/4 percent should be created; and

WHEREAS, Texas Tax Code Section 321.409 permits these questions to be submitted to the voters through a combined municipal sales tax ballot proposition; and

WHEREAS, in accordance with the requirements of the Texas Tax Code, the combined rate of all local sales and use taxes imposed by the City will not exceed 2 percent; and

WHEREAS, the City Council hereby finds and determines that holding a special election in conjunction with the City's general election on November 6, 2018, a uniform election date, is in the best interest of the citizens of the City.

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

**SECTION 1.
SPECIAL ELECTION
CALLED**

The statements made in the foregoing preamble being true and correct and being adopted hereby as findings of fact, a special election shall be held in and throughout the City of Converse, on Tuesday, November 6, 2018, such date being a uniform election date as defined in Section 41.001 of the *Texas Election Code*, as amended, to submit to the voters the combined ballot proposition listed below.

**SECTION 2.
BALLOT**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, with the ballots to contain such provisions, markings and language as required by law, and with such proposition to be expressed substantially as follows:

PROPOSITION

The reduction of the current 1/2 percent sales and use tax allocated to the Converse Economic Development Corporation (CEDC - Type B) by 1/4 percent to 1/4 percent and the adoption of a local sales and use tax at a rate of 1/4 percent to provide revenue for maintenance and repair of municipal streets.

The ballots used for the election shall comply with the *Texas Election Code* and be in the form provided by the City to the Bexar County Elections Administrator (the "Election Officer") for use on the voting devices and ballots used by Bexar County. The official ballots, together with such other election materials as are required by the *Texas Election Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

**SECTION 3.
CONDUCT OF ELECTION**

The Bexar County Elections Administrator and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the law governing the holding of general elections by Home Rule cities of the State of Texas.

**SECTION 4.
ELECTION POLLING PLACE**

The election polling places for early voting shall be at the Main Early Voting Site, at Bexar County Elections Department 1103 S. Frio, Ste. 100, San Antonio, TX 78207 and the following Early Voting Sites throughout the City:

Rosewood Rehabilitation & Care Center
Converse City Hall Conference Room
Judson Middle School

7700 Mesquite Pass, Converse, TX 78109
405 S. Seguin Rd, Converse, TX 78109
9696 Schaeffer Rd, Converse, TX 78109

First day of Early Voting by Personal Appearance is Monday, October 22, 2018

Last day to Apply for Ballot by Mail- (Received not postmarked) Friday, October 26, 2018

Last day of Early Voting by Personal Appearance is Friday, November 2, 2018.

Last day to Receive Ballot by Mail is Tuesday, November 6, 2018 at 7:00 PM

Ballot by mail may be delivered to the Bexar County Elections Administrator at the following address:

Bexar County Election Administrator
1103 S. Frio, Ste. 100
San Antonio, Texas 78207

The election polling place for the special election held on November 6, 2018 and shall be at the following locations

<u>Precinct</u>	<u>Polling Location</u>		
4059	Rosewood Rehab & Care Ctr	7700 Mesquite Pass	Converse, TX 78109
4130			
4162			
<u>4201</u>			

<u>Precinct</u>	<u>Polling Location</u>		
4067	Converse City Hall Conf Rm	405 S. Seguin	Converse, TX 78109
4114			
4191			
<u>4196</u>			

<u>Precinct</u>	<u>Polling Location</u>		
4132	Judson Middle School	9696 Schaeffer Rd.	Converse, TX 78109
<u>4187</u>			

<u>Precinct</u>	<u>Polling Location</u>		
<u>4163</u>	Spring Meadows Elementary	7135 Elm Trail	San Antonio, TX 78244

The polls shall remain open on the day of the election from 7:00a.m. to 7:00p.m. The Bexar County Elections Administrator shall tabulate and provide the election returns for the election. Any polling place may be changed by the Bexar County Elections Administrator upon compliance with state and federal law.

SECTION 5. ELECTION OFFICER

The Bexar County Elections Administrator is appointed to serve as the City's Election Officer, Joint Early Voting Clerk to conduct the City's election on November 6, 2018.

As the City's Election Officer and Early Voting Clerk, the Bexar County Elections Administrator shall coordinate, supervise, and conduct all aspects of administering voting in the City's election in compliance with state law and the Memorandum of Understanding.

**SECTION 6.
NOTICE OF ELECTION**

Notice of the election shall be given by posting a notice containing a substantial copy of the ordinance on the bulletin board used for posting notice of meetings of the governing body at the City Hall Conference Room and by publishing said Notice of Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of notices that are published in the designated newspaper of record. The notice that is posted, and the notices that are published in aforementioned newspaper and will be written in both English and Spanish.

**SECTION 7.
NOTIFICATIONS**

Upon adoption of this Ordinance, the City Secretary is directed to immediately give notice of the election to the Texas Comptroller of Public Accounts, by delivering to the same a copy of this Ordinance.

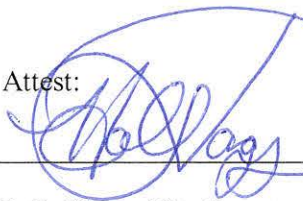
**SECTION 8.
SEVERABILITY
CLAUSE**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this order are severable, and if any phrase, clause, sentence, paragraph, or section of this order shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this order of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

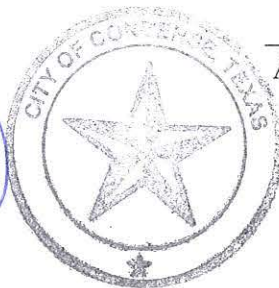
**SECTION 9.
EFFECTIVE DATE**

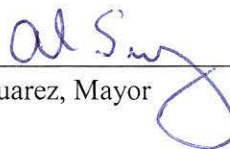
PASSED AND APPROVED THIS 7th DAY OF AUGUST 2018.

Attest:



Holly Nagy, City Secretary





Al Suarez, Mayor

ORDER OF SPECIAL ELECTION FOR CITY OF CONVERSE
ORDEN DE ELECCION ESPECIAL PARA LA C/UDAD DE CONVERSE

A special election is hereby ordered to be held on November 6, 2018 for the purpose of submitting to the voters the following combined ballot proposition:

(Una eleccion especial se ordena para ser celebrada el 6 de Noviembre de 2018 con el proposito de someter a los votantes la siguiente proposicion electoral combinada:)

"PROPOSITION"

"(Proposicion)"

The reduction of the current 1/5 percent of one percent sales and use tax allocated to the Converse Economic Development Corporation (CEDC - Type B) by 1/4 percent of one percent to 1/4 percent of one percent and the adoption of a local sales and use tax at a rate of 1/4 of one percent to provide revenue for maintenance and repair of municipal streets.

La reducción del impuesto actual de ventas y uso de la mitad del uno por ciento al 1/5 por ciento asignado a la Corporación de Desarrollo Económico Converse (CEDC - Tipo B) en 1/4 por ciento del uno por ciento al 1/4 por ciento del uno por ciento y la adopción de un impuesto local de ventas y uso a una tasa de 1/4 del uno por ciento para proporcionar ingresos para el mantenimiento y la reparación de las calles municipales.

Early voting by personal appearance will be conducted at places, times, and locations authorized and required by State law and the Election Officer and shall commence on Monday, October 22, 2018, and continue through Friday, November 2, 2018.

(Votación Temprana mediante la aparición personal se llevará a cabo en los lugares, tiempos y lugares autorizados y requeridos por la ley estatal y el funcionario de elecciones y comenzará el Octubre 22 de Noviembre de 2018, y continuarán hasta el martes, 3 de Mayo de 2016.)

Applications for a ballot by mail shall be mailed to:

(Solicitudes para una boleta por correo, serán enviados por correo a):

Bexar County Elections Administrator (Administrador de Elecciones del Condado de Bexar)
1103 S. Frio, Ste. 100
San Antonio, Texas 78207

Applications for ballot by mail must be received no later than the close of business on Friday October 22, 2018.

(Las solicitudes para boletas enviadas por correo deberán recibirse para el fin de las horas de negocio el 22 de octubre de 2018.)