

**CITY OF GRANDVIEW
ORDINANCE NO. 2023-0803B**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRANDVIEW, TEXAS, CALLING AN ELECTION TO BE HELD IN THE CITY OF GRANDVIEW, TEXAS, TO SUBMIT A PROPOSITION FOR THE REAUTHORIZATION OF A LOCAL SALES AND USE TAX FOR STREET MAINTENANCE AT THE RATE OF ONE-HALF OF ONE PERCENT TO CONTINUE TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISIONS FOR THE CONDUCT AND NOTICE OF SUCH ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grandview, Texas, is a Type A general-law municipality located in Johnson County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, pursuant to the Chapter 327 of the Texas Tax Code (the Act), the City of Grandview has adopted a one-half of one percent (0.5%) sales and use tax to provide for street maintenance; and

WHEREAS, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

WHEREAS, the Act provides that the City Council may call an election to reauthorize a previously adopted sales and use tax to provide for street maintenance by adopting an ordinance; and

WHEREAS, the Council hereby finds and determines that the holding of this election on the date set forth below, a uniform election date, is in the best interest of the citizens of the City.

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

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 Grandview, on Tuesday, November 7, 2023 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 ballot proposition listed below.

**SECTION 2.
BALLOT**

The official ballots for this 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 REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF GRANDVIEW AT THE RATE OF ONE-HALF PERCENT (0.5%) 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 3.
AGREEMENT FOR ELECTION SERVICE**

Prior to the election, the City anticipates that it will enter into an agreement for election service with Johnson County (the Agreement). The Agreement will establish the location and time for early voting and the method of voting, as well as other procedural matters pertaining to the election. In the event of a conflict between this Ordinance and the Agreement, the Agreement shall prevail.

**SECTION 4.
VOTING PRECINCTS, POLLING PLACES, & HOURS**

The voting precincts for the election are the municipal voting precincts identified by their respective county precinct numbers as determined by the Elections Administrator. These locations are incorporated into this ordinance by reference for all purposes; provided, however, such times and locations may be changed if so directed by the Election Administrator without further action of the City Council. The Election Administrator of Johnson County (the Election Administrator) is hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the election. The county precincts which include the City of Grandview are voting precincts 26 and 27. The voting precincts will be combined for the purposes of the November election and the polling location will be:

Grandview Church of Christ
707 East Criner Street
Grandview, Texas 76050

The polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the election.

**SECTION 5.
EARLY VOTING**

(a) **Early Voting by Personal Appearance.** Patty Bourgeois, the Johnson County Elections Administrator (Elections Administrator) is hereby designated as the Early Voting Clerk for the special election, and pursuant to the Agreement may appoint as many Deputy Early Voting Clerks as deemed necessary. Early voting by personal appearance shall commence October 23, 2023 and continue through November 3, 2023 on each day that is not a Saturday or Sunday or state holiday, at times and locations tentatively established by Johnson County. At the very least, early voting shall be held Monday through Friday from 8:00 a.m. to 5:00 p.m., with expanded hours of 7:00 a.m. to 7:00 p.m. on two of those days as provided by the Elections Administrator. Eligible voters may vote early at the main early voting location: County Elections Office, 103 South Walnut Street, Cleburne, Texas, 76033.

(b) **Early Voting by Mail.** The Elections Administrator shall be responsible for early voting applications and ballots. Applications for early voting by mail may be delivered to Patty Bourgeois, Johnson County Elections Administrator, 103 South Walnut Street, Cleburne, Texas 76033. Early voting ballots shall be mailed to the Elections Administrator as provided in the Agreement.

**SECTION 6.
ELECTION JUDGE**

The Election Judge and Alternate Election Judge will be appointed in conjunction with the approval of the Agreement for election services with Johnson County.

**SECTION 7.
GOVERNING LAW**

The election shall be held in accordance with the Constitution of the State of Texas and the Texas Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**SECTION 8.
NOTICE**

Notice of the election shall be given as required by the Texas Election Code.

**SECTION 9.
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 that official a copy of this Ordinance.

**SECTION 10.
NECESSARY ACTIONS**

The City Manager and the City Secretary, in consultation with the City Attorney, are authorized and directed to take all actions necessary to comply with the provisions of the Texas Election Code, the Texas Tax Code, and the City Code in carrying out and conducting the election, whether or not expressly authorized by this Ordinance. The Mayor, City Manager, and City Secretary are hereby given the authority to sign the Agreement.

**SECTION 11.
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.

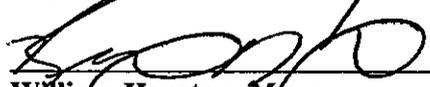
**SECTION 12.
EFFECTIVE DATE**

This Ordinance shall be effective upon its adoption, and it is so ordained.

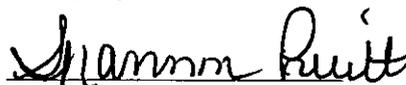
PASSED AND APPROVED ON THIS 3rd DAY OF AUGUST, 2023.

BY:

City of Grandview, Texas


William Houston, Mayor

ATTEST:


Shannon Pruitt, City Secretary

