

ORDINANCE NO. 2022-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 7TH DAY OF MAY, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ROANOKE, TEXAS, A BALLOT PROPOSITION TO REPEAL AND TERMINATE THE TYPE B ECONOMIC DEVELOPMENT SALES TAX, AT THE RATE OF ONE-HALF OF ONE PERCENT, AUTHORIZED BY CHAPTER 505 OF THE TEXAS LOCAL GOVERNMENT CODE CONTINGENT UPON THE ELIGIBLE VOTERS OF THE CITY OF ROANOKE CRIME CONTROL AND PREVENTION DISTRICT WHICH COMPRISES THE CITY OF ROANOKE, TEXAS, APPROVING A BALLOT PROPOSITION TO ADOPT A SALES AND USE TAX FOR THE PROPOSED DISTRICT AT THE RATE OF ONE-HALF OF ONE PERCENT DEDICATED TO CRIME CONTROL AND PREVENTION PROGRAMS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the "Code") establishes May 7, 2022, as a "uniform election date" for the purposes of conducting a special election; and

WHEREAS, the City of Roanoke, Texas, currently imposes a local sales and use tax at a combined rate of 8.25 percent; and

WHEREAS, City Council of the City of Roanoke, Texas, desires to submit to the eligible voters of the City of Roanoke, Texas, a ballot proposition, to ascertain whether the Type B economic development sales tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code, should be terminated contingent upon the eligible voters of the City of Roanoke Crime Control and Prevention District which comprises the City of Roanoke, Texas, approving a ballot proposition to adopt a sales and use tax for the proposed district at the rate of one-half of one percent dedicated to crime control and prevention programs.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. ELECTION ORDER; ELECTION DATE.

That a Special Election in the City of Roanoke, Texas, as prescribed by chapters 501 to 505 of the Texas Local Government, and chapter 321 of the Texas Tax Code, shall be held between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) on the 7th day of May, 2022.

Section 3. PURPOSE OF ELECTION.

The purpose of the Special Election in the City of Roanoke, Texas, is to consider a ballot proposition to repeal and terminate the Type B economic development sales tax, at the rate of one-half of one percent, authorized by Chapter 505 of the Texas Local Government Code, contingent upon the eligible voters of the proposed City of Roanoke Crime Control and Prevention District, which comprises the City of Roanoke, Texas, adopting a Crime Control and Prevention sales and use tax, at the rate of one-half of one percent dedicated to crime reduction programs.

Section 4. VOTING SYSTEM, BALLOT PROPOSITION.

Voting on the date of the election, and early voting therefore, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the election shall conform to the Texas Election Code, as amended, so as to permit the electors of the City of Roanoke, Texas, to vote "For" or "Against" the Proposition. Said ballots shall have printed therein such provisions, markings, and language as may be required by law, and the Proposition shall be set forth on said ballots in substantially the following form and language:

**SPECIAL ELECTION
City of Roanoke, Texas
May 7, 2022**

OFFICIAL BALLOT

PROPOSITION NO. 1

FOR _____
AGAINST _____

"The termination of the Roanoke Community and Economic Development Corporation, a Type B economic development corporation and local sales and use tax at a rate of one-half of one percent, contingent upon the eligible voters of the proposed City of Roanoke Crime Control and Prevention District, which comprises the City of Roanoke, Texas, approving a ballot proposition authorizing the creation of the City of Roanoke Crime Control and Prevention District dedicated to crime reduction programs and the adoption of a proposed local sales and use tax at a rate of one-half of one percent."

Section 5. ELECTION PRECINCTS; POLLING PLACE.

That the City of Roanoke, Texas, does hereby designate Election Day polling locations for the voters of the City of Roanoke, Texas. The Election Day polling place and election officials shall be as administered by the Denton County and Tarrant County Elections Administrators:

Polling Place

Denton County Elections
701 Kimberly Drive, Suite A101
Denton, Texas 76208

Officials

Denton County Elections Administrator
701 Kimberly Drive, Suite A101
Denton, Texas 76208

_____ - Judge

Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111

Tarrant County Elections Administrator
2700 Premier Street
Fort Worth, Texas 76111

_____ - Judge

The Election Judge may appoint such other clerks as needed to serve and assist in the conduct of the election. The Election Judge and Alternate Judge for the special election shall also serve as the Presiding Judge and Alternate Judge of the Early Voting Ballot Board, and are hereby directed to perform the duties required by the Texas Election Code, as amended.

Section 6. EARLY VOTING; EARLY VOTING POLLING PLACE.

That early voting shall commence on Monday, April 25, 2022, and shall close on Tuesday, May 3, 2022. During the lawful early voting by personal appearance period (April 25, 2022, through May 3, 2022), the City Secretary of the City of Roanoke, Texas, shall keep such place for early voting open for early voting on the dates and times as depicted in **Exhibit A**, which is attached hereto and incorporated herein for all purposes.

Section 7. ELECTION COMPLIANCE.

This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas.

Section 8. VOTING QUALIFICATION; VOTING MATERIALS.

That all registered, qualified voters of the City of Roanoke, Texas, shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

Section 9. NOTICES.

That the City Secretary is hereby ordered and directed to give notice of the election by:

- (a) Publishing the notice of the election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between **April 7, 2022** and **April 27, 2022**;
- (b) Filing with the City Secretary, a copy of the notice of the election;
- (c) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by **April 16, 2022**; and
- (d) Delivering notice of the election to the Denton and Tarrant County clerks not later than the 60th day before election day, or **March 6, 2022**.

The City Secretary shall file with the City Secretary a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

Section 10. SEVERABILITY CLAUSE.

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

Section 11. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas on this the 15th day of **February, 2022**.

APPROVED:



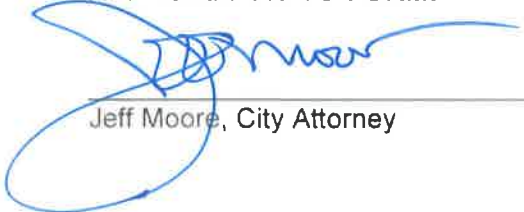
Carl E. Gierisch, Jr., Mayor

ATTEST:



April S. Hill, City Secretary

APPROVED AS TO FORM:



Jeff Moore, City Attorney

Exhibit A

Early Voting Polling Places