

ORDINANCE 8-17-2023-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRUCEVILLE-EDDY, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD WITHIN THE CITY ON TUESDAY NOVEMBER 7, 2023, TO SUBMIT A PROPOSITION TO THE ELECTORS TO ADOPT A LOCAL SALES AND USE TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (1/4 CENT) TO UNDERTAKE ANY ECONOMIC DEVELOPMENT TO PROMOTE NEW OR EXPANDED BUSINESS ENTERPRISES AND ANY OTHER PROJECTS AUTHORIZED UNDER THE LAW APPLICABLE TO A TYPE B CORPORATION CREATED UNDER SECTION 505.003, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; MAKING PROVISION FOR THE CONDUCT OF THE SPECIAL ELECTION; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council (the "Council") of the City hereby finds that it is appropriate, advisable and in the best interest of the citizens of the City that a special election be held for the purpose of submitting a proposition to the electors to adopt a local sales and use tax at the rate of one-quarter of one percent (1/4 cent) to fund economic development projects designed to promote new or expanded business enterprises and any other projects authorized under the law applicable to a Type B Corporation created under Section 505.003 of the Local Government Code, as amended including but not limited to: public safety facilities, streets and roads, drainage and related improvements; any other project that promotes or develops new or expanded business enterprises; projects required or suitable for use for professional and amateur sports; athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheatres, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities; related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related items that enhance any of those projects; and

WHEREAS, the combined rate of all sales and use taxes imposed by the City and other political subdivision of the State of Texas having territory in the City may not exceed two percent within the City, and the combined rate of all sales and use taxes imposed by the City and other political subdivisions of the State of Texas having territory in the City is currently less than two percent (2.0%); and

WHEREAS, it is hereby officially found and determined that holding the hereinafter called special election on the date set forth below is in the public interest; and that the meeting at which this ordinance is adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRUCEVILLE-EDDY, TEXAS:

Section 1. Proposition. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. A special election shall be held in the City on Tuesday, November 7, 2023, at which the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

The adoption of a local sales and use tax at the rate of one quarter of one percent (1/4 cent) in Bruceville-Eddy to fund any economic development project authorized under the law applicable to a Type B corporation created under Chapter 505 of the Texas Local Government Code, as amended, including projects for the general promotion and development of new or expanded business enterprises, which may also include but is not limited to projects to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, projects required or suitable for use for professional and amateur sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related items that enhance any of those projects, as well as any and all costs associated with an authorized project in accordance with Texas Local Government Code Section 501.152, as well as administrative expenses, maintenance and operation expenses, promotional expenses, and the issuance of bonds for any of the above described scope of projects.

Section 2. Ballot. The official ballots for the special election shall be prepared in accordance with the Texas Election Code (the "Code") so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid 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 1

The adoption of a local sales and use tax at the rate of one quarter of one percent (1/4 cent) in Bruceville-Eddy to fund any economic development project authorized under the law applicable to a Type B corporation created under Chapter 505 of the Texas Local Government Code, as amended, including projects for the general promotion and development of new or expanded business enterprises, which may also include but is not limited to projects to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, projects required or suitable for use for professional and amateur sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related items that enhance any of those projects, as well as any and all costs associated with an authorized project in accordance with Texas Local Government Code Section 501.152, as well as administrative expenses, maintenance and operation expenses, promotional expenses, and the issuance of bonds for any of the above described scope of projects.

FOR

AGAINST

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Section 3. Special Election. The special election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on November 7, 2023, at the respective polling places designated by McLennan County in the Election Contract as set forth in Exhibit A hereto, which exhibit shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and the Code.

Section 4. Early Voting. Early voting shall be conducted by personal appearance at the locations set forth in Exhibit B hereto and during the period early voting is required or permitted by law, being October 23, 2023 thru November 3, 2023, which exhibit shall be modified to include additional or different early voting polling places, dates and times required to conform to the Election Contract and the Code.

Any voter who is entitled to vote an early ballot by personal appearance may do so at any Early Voting Polling Place listed in Exhibit B hereto. Applications for early voting by mail shall be sent to McLennan County Elections Administration P.O. Box 2450 Waco, Texas 76703-2450. The Early Voting Clerk for the special election shall be Jared Goldsmith, Elections Administrator.

Section 5. Election Administration in McLennan County. The election shall be administered by the McLennan County Elections Administration pursuant to the Contract for Joint Election Services between the City and McLennan County Elections Administration (the "Election Contract"). The City Administrator or Mayor is hereby authorized and directed to enter into such Election Contract with McLennan County Elections Administration and to execute such Election Agreement on behalf of the City. The persons to serve as officers to conduct said election and an early ballot board to process early voting results shall be appointed pursuant to the Election Contract.

Section 6. Elector Qualification. All resident, qualified electors of the City shall be entitled to vote at said special election.

Section 7. Notice. Notice of said special election shall be given by posting a substantial copy of this ordinance on the bulletin board use for posting notices of the meetings of the Council and the City's internet website, not less than 21 days prior to the date set for said special election; and an election notice also shall be published in a newspaper of general circulation that is published in the City or, if no newspaper of general circulation is published in the City, a newspaper of general circulation in the City, the date of the publication to be not earlier than the 30th day or later than the 10th day prior to the date for said special election.

Section 8. Conformity with Law. In all respects said special election shall be conducted in accordance with the Code.

Section 9. Effective Date. This Ordinance shall be effective immediately upon its adoption by the Council.

PASSED, APPROVED AND EFFECTIVE this 17th day of August 2023.


Linda Owens, Mayor

ATTEST:


Pam Combs, City Secretary

[CITY SEAL]



Exhibit A

November 7, 2023 ELECTION DAY VOTE CENTERS

7 de noviembre de 2023 Centros de Voto Para el Día de las Elecciones)

Axtell School Athletic Meeting Room	312 W. Seley, Axtell
Bellmead Civic Center	3900 Parrish Street, Waco
Bruceville-Eddy ISD Special Events Center	1 Eagle Drive, Eddy
Carver Park Baptist Church	1020 E. Herring Avenue, Waco
Cesar Chavez Middle School	700 S. 15 th Street, Waco
Chalk Bluff Baptist Church	5993 Gholson Road, Waco
China Spring ISD Administration Bldg.	12166 Yankie Road, China Spring
Crawford First United Methodist	375 W 6 th Street, Crawford
Dewey Community Center	925 N. 9 th Street, Waco
Fellowship Bible Church	5200 Speegleville Road, McGregor
First Assembly of God Church	6701 Bosque Boulevard, Waco
H. G. Isbill Junior High	305 S. Van Buren Street, McGregor
Heart of Texas Council of Governments	1514 S. New Road, Waco
Hewitt First Baptist Church	301 S. 1 st Street, Hewitt
Hewitt City Hall/Library	200 Patriot Court, Hewitt
Holy Spirit Episcopal Church	1624 Wooded Acres Drive, Waco
Lacy Lakeview Civic Center	505 E. Craven Avenue, Waco
Lake Shore United Methodist Church	3311 Park Lake Drive, Waco
Lorena First Baptist Church	307 E. Center Street, Lorena
Mart ISD Administration Building	1100 JL Davis Avenue, Mart
MCC Conference Center	4601 N. 19 th Street, Waco
Moody First United Methodist Church	500 6 th Street, Moody
Riesel ISD Urbantke Gymnasium	702 E. Frederick Street, Riesel
Robinson Community Center	106 W. Lyndale Avenue, Robinson
South Waco Library	2737 S. 18 th Street, Waco
Speegleville Baptist Church	469 Speegle Road, Waco
St. Alban's Episcopal Church	305 N. 30 th Street, Waco
St. Louis Activity Center (Windsor Ave. Parking)	2415 Cumberland Avenue, Waco
University High School	3201 S. New Road, Waco
Waco Convention Center	100 Washington Avenue, Waco
Waco Multi-Purpose Community Center	1020 Elm Avenue, Waco
West Community Center	200 Tokio Road, West
Woodway City Hall	922 Estates Drive, Woodway
Woodway First Baptist Church (The Venue)	110 Ritchie Road, Woodway

Exhibit B

The dates and times of Early Voting are:
(Los días y horas de votación adelantada son:)

Monday (lunes)	October 23, 2023 (23 de octubre de 2023)	8:00 AM - 5:00 PM
Tuesday (martes)	October 24, 2023 (24 de octubre de 2023)	8:00 AM - 5:00 PM
Wednesday (miércoles)	October 25, 2023 (25 de octubre de 2023)	8:00 AM - 5:00 PM
Thursday (jueves)	October 26, 2023 (26 de octubre de 2023)	8:00 AM - 5:00 PM
Friday (viernes)	October 27, 2023 (27 de octubre de 2023)	8:00 AM - 5:00 PM
Monday (lunes)	October 30, 2023 (30 de octubre de 2023)	8:00 AM - 5:00 PM
Tuesday (martes)	October 31, 2023 (31 de octubre de 2023)	8:00 AM - 5:00 PM
Wednesday (miércoles)	November 1, 2023 (1 de noviembre de 2023)	8:00 AM - 5:00 PM
Thursday (jueves)	November 2, 2023 (2 de noviembre de 2023)	7:00 AM - 7:00 PM
Friday (viernes)	November 3, 2023 (3 de noviembre de 2023)	7:00 AM - 7:00 PM

Applications to vote by mail should be mailed to:
(Las solicitudes para poder votar por deben ser enviadas a:)

McLennan County Elections Administration
Mailing Address: P.O. Box 2450 Waco, Texas 76703-2450
Physical Address: 214 N. 4th Street, Suite 300 Waco, Texas 76701
Fax: (254) 757-5041
Phone: (254) 757-5043
ballotbymail@co.mclennan.tx.us
www.mclennanvotes.com

Applications for ballot by mail must be received no later than the close of business on October 27, 2023:
(Las solicitudes para votar por correo tendrán que ser recibidas antes del fin del día laboral el 27 de octubre 2023:)