

ORDINANCE NO. 393

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD IN THE TOWN OF LAKESIDE, TEXAS, ON MAY 6, 2017, TO SUBMIT A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF THE SALES AND USE TAX IN THE TOWN OF LAKESIDE, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

WHEREAS, pursuant to Chapter 327 of the Texas Tax Code provides that a municipality may adopt an additional sales tax for property tax relief; and

WHEREAS, Section 327.007 of the Texas Tax Code requires that such tax be reauthorized by the voters every four (4) years; and

WHEREAS, the Town Council (the "Council") of the Town of Lakeside, Texas, (the Town) hereby finds that a special election should be held for the purposes of submitting a proposition of the levy and collection of the adoption of a Local Sales and Use Tax in the Town of Lakeside, Texas, at a rate of one-fourth of one percent to provide revenue for the maintenance and repair of municipal streets; and

WHEREAS, the combined rate of all local sales and use taxes imposed by the Town and other political subdivisions having territory in the Town will not exceed two percent (2%); and

WHEREAS, the Council finds and determines that the holding of this special election on the date set forth below, a special election date, is in the public interest; NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKESIDE, TEXAS;

Section 1. A special election shall be held on the 6th day of May, 2017, special election date, in the Town of Lakeside, Texas, which date is not less than sixty-two (62) days from the date of the adoption of this Ordinance (the "Ordinance"), for the purpose of the following proposition to the electors of the Town:

PROPOSITION

The reauthorization of the local sales and use tax in the Town of Lakeside at the rate of one-quarter of one percent to continue providing revenue for maintenance and repair of the municipal streets.

A negative vote shall mean that the entire proposition fails with no effect upon any existing sales or property taxes.

- (a) Said election shall be held by Tarrant County pursuant to a Joint Election Agreement and Contract for Election Services with respect to such general election, in accordance with the Order of Joint Special Election, prepared by Tarrant County, in the form attached hereto and incorporated herein, and the Mayor (or Mayor Pro Tempore in his absence) is hereby authorized to sign said Order.

Section 2: Election Day Polling Places and Election Hours

Voting shall be conducted at the Town of Lakeside, Lakeside Church of God, 9396 Confederate Park Road, Lakeside, Texas, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 6th, 2017.

Section 3: Election Officers

The election officers for each polling place shall be appointed and compensated pursuant to the Joint Election Agreement and Contract for Election Services with Tarrant County, for said election on Saturday, May 6th, 2017.

Section 4: Early Voting

Early voting shall be conducted pursuant to the Order of Joint General Election Town of Lakeside, attached hereto and incorporated herein.

Section 5: Method of Voting

Tarrant County's voting equipment will be utilized for said election, and said election shall be conducted in accordance with the Texas Election Code.

Section 6: Notice of Election, Publication & Reporting

Notice of said election will be given in accordance with the terms and provisions of the Texas Election Code. The Town Administrator is hereby instructed to have said notice published at least once in accordance with said Code not earlier than April 6th, 2017, the 30th day before the election or no later than April 26th, the 10th day before the election. The notice shall also be posted at the Town of Lakeside Town Hall, 9830 Confederate Park Road, Lakeside, Texas 76108 no Later than April 17th, the 19th day before Election Day

Section 7: If approved by a majority of the voters at the election called herein the Town Administrator shall immediately provide notice thereof to the Comptroller of the Public Accounts of the State of Texas.

Section 8: Necessary Actions

The Mayor and the Town Administrator are authorized and directed to take all other actions necessary to comply with the provisions of the Texas Election Code, Texas Tax Code, and other applicable laws and regulations in carrying out and conducting the election and implementing the effects of the proposition if passed, all ordinances and resolutions, or parts thereof, which are in conflict or which are inconsistent with any provision of this Ordinance are repealed to the extent of such conflict or inconsistency, and the remaining provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

By approving and signing this ordinance, the Mayor officially confirms, as is action all matters recited in the ordinance, which by law come within his jurisdiction.

Section 9: Effective Date

This ordinance shall take effect immediately from and after its passage, provided that the new and additional taxes, if approved, shall take effect at the earliest date allowed by law.

Section 10. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 11. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held invalid, the remainder of this Ordinance and the application of such provision to the other persons and circumstances shall nevertheless be valid, and this Council declares that this Ordinance would have been enacted without such invalid provision.

Section 12. 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 as such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 13. This Ordinance shall be in force and effect from and after the date of its adoption and, it is so ordained.

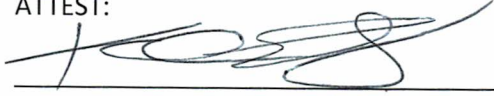
AND IT IS SO ORDAINED.

PASSED AND APPROVED BY A MAJORITY OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF LAKESIDE, TEXAS, ON THIS THE 12th DAY OF January 2017.



Patrick Jacob
Mayor

ATTEST:



Ken East
Town Attorney



Norman Craven
Town Administrator