

Ordinance No. 2020-004

A ORDINANCE OF THE OF THE CITY OF EAST BERNARD, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 3RD DAY OF NOVEMBER 2020 ON A PROPOSITION PERTAINING TO THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE- FOURTH PERCENT AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; AND AUTHORIZING THAT THE ELECTION SHOULD BE HELD JOINTLY WITH WHARTON COUNTY; AND MAKING OTHER PROVISIONS RELATED TO THE ELECTION.

WHEREAS, in 2016, pursuant to Chapter 327 of the Tax Code, the Board of Alderman called a Special Election on the re-authorization of an additional one-fourth of one percent (one-fourth) (1/4) Sales and Use Tax within the City to be used for the maintenance and repair of municipal streets; and,

WHEREAS, said proposition was adopted by the resident qualified voters of the City in 2016, and the additional tax being collected must under Chapter 327 be reauthorized by election; and

WHEREAS, the City Council further determines that the City is an eligible city under the provisions of the Tax Code, Chapter 321 in that a combined rate of the sales and use taxes within the City of East Bernard would not exceed two percent; and

WHEREAS, a Special Election is hereby ordered and shall be held on the 2nd day of May 2020 in the City of East Bernard, Texas, a uniform election date pursuant to the Texas Election Code, Section 41.001, for the purpose of submitting to the resident qualified voters the proposition listed below. Voters shall have the opportunity to vote "FOR" or "AGAINST" on the proposition

WHEREAS, pursuant to Section 327.007(b) Tax Code, the ballot language pertaining to this proposition shall read as follows on the May 2, 2020 ballot:

Proposition

"The reauthorization of the local sales and use tax in the City of East Bernard, Texas, at the rate of one-fourth of one percent 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."

NOW, THEREFORE,

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF EAST BERNARD, TEXAS:

Section 1. That a Special Election is hereby ordered and shall be held in the City of East Bernard, Texas on the 3rd day of November 2020, a uniform election date pursuant to the Texas Election Code, Section 41.001, for the purpose of submitting to the resident qualified voters the proposition noted above.

Section 2. That said election shall be held in accordance with a Joint Election Agreement between the City of East Bernard and Wharton County, said Agreement having been approved by the Board of Alderman. Wharton County owns a ballot marking device system, 8 ExpressVote machines, that has been approved by the Secretary of State pursuant to the Texas Election Code and the City of East Bernard will use the County's Voting System in its election and compensate the County for such use and share in certain other expenses connected with elections in accordance with applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

Section 3. That the form of the ballot shall be provided by Wharton County under the terms of the Joint Election Agreement. The ballots shall be prepared in accordance with the applicable provisions of the Election Code so voters may cast their ballots either "FOR" or "AGAINST" the following proposition:

Proposition

"The reauthorization of the local sales and use tax in the City of East Bernard, Texas, at the rate of one fourth of one percent 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 4. The polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the above-described election at said polling place:

POLLING PLACES

Wharton County Library, East Bernard Branch

746 Clubside Drive, East Bernard, Texas 77435

Wharton Civic Center-Main Hall

1924 N. Fulton, Wharton, Texas 77488

Boling Fire Station

6735 FM 442 Road, Boling, Texas 77420

Hungerford Fire Station

8018 Houston Street

Hungerford, Texas 77448

El Campo Library-Mayors Room

200 W Church Street, El Campo, Texas 77437

El Campo Civic Center-Myatt Room

2350 N Mechanic Street, El Campo, Texas 77437

Justice of the Peace Pct. 3 Courtroom

340 W North Street, Louise, Texas 77455

St Robert's Catholic Church

512 Tegner, El Campo, Texas 77437

Section 5. Cindy Richter, Wharton County Elections Administrator, is hereby appointed clerk for early voting. The Wharton County Library, East Bernard Branch, 746 Clubside Drive, Wharton County Annex D-Classroom 116, Wharton, Texas, and El Campo Library-Mayors Room, El Campo Texas are hereby designated as the places for early voting for said election. The Early Voting Clerk is hereby authorized to conduct early voting by personal appearance beginning on the twelfth (12th) day; and continuing through the fourth (4th) day preceding the date of said election. In addition, said clerks shall keep said polling place open from seven o'clock (7:00) a.m. until seven (7:00) p.m., for a total of 12 hours for early voting on the fourth (4th) and fifth (5th) day preceding the date of said election. Said clerk shall keep said polling place open during the hours that the City Secretary's main office is regularly open for business, that is from eight o'clock (8:00) a.m. until five o'clock (5:00) p.m., on each day for early voting which is not a Saturday, a Sunday, or an official state or federal holiday. Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. Early voting by mail shall be as provided by applicable law. The mailing address ballots voted by mail may be sent shall be

Wharton County Elections Administrator, Early Voting Clerk

P. O. Box 390

Wharton, TX 77488

The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section 6. The Election Judge is hereby appointed as Presiding Judge of the Early Ballot Board. In accordance with Section 87.001, et seq., Texas Election Code, said Presiding Judge shall appoint at least two (2) other members to said Board, and shall process early voting results in accordance with said Texas Election Code.

Section 7.

All early voting by personal appearance and all voting on the day named above for the holding of said election shall be by means of whatever type of voting machine or electronic voting system

NOTICE OF JOINT GENERAL ELECTION

Wharton County, Cities of East Bernard, El Campo and Wharton; Boling, East Bernard, Louise and Wharton Independent School Districts, Wharton County Junior College and Isaacson Municipal Utility District
(AVISO DE ELECCIONES GENERAL de las ciudades de Wharton, East Bernard y El Campo;
Distrito Escolar Independiente de Wharton y East Bernard, Wharton Junior College e IMUD)

To the registered voters of the County of Wharton, Texas (A los votantes registrados Del Condado de Wharton, Texas)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on November 3, 2020, for voting in a joint general election to elect the President of the United States, Members of Congress, Members of the Legislature, and state, district, county and precinct officers; various offices for cities of East Bernard, El Campo and Wharton; school board members for Boling, East Bernard, Louise and Wharton ISD; Board of Trustees members for Wharton County Junior College, Board of Directors for Isaacson Municipal Utility District. (Se da aviso de que los lugares de votación que se enumeran a continuación estarán abiertos de 7:00 a.m. a 7:00 p.m. el 3 de noviembre de 2020, por votar en una elección general conjunta para elegir al Presidente de los Estados Unidos, los miembros del Congreso, los miembros de la Legislatura y los funcionarios estatales, de distrito, de condado y de precinto; varias oficinas para las ciudades de East Bernard, El Campo y Wharton; miembros de la junta escolar de Boling, East Bernard, Louise y Wharton; Miembros de la Junta de Síndicos del Wharton County Junior College, Junta de Directores del Distrito Municipal de Servicios Públicos de Isaacson.)

On Election Day, a voter may vote at any of the locations listed below:

(El Día de Elección, los votantes podrán votar en cualquiera de las ubicaciones nombradas abajo.)

LOCATIONS OF ELECTION DAY VOTE CENTERS (Ubicación de las casillas electorales el Día de Elección)

VOTE CENTERS

Wharton Civic Center – Main Hall
Boling Fire Station
East Bernard Library
Hungerford Fire Station
El Campo Library – Mayors Rm.
El Campo Civic Center – Myatt Rm.
Justice of the Peace PCT 3 Courtroom
St. Robert's Catholic Church

Address

1924 N. Fulton, Wharton
6735 FM 442 Rd, Boling
746 Clubside Dr., East Bernard
8018 Houston St., Hungerford
200 W. Church St., El Campo
2350 N Mechanic St, El Campo
340 W North St., Louise
512 Tegner, El Campo

LOCATIONS FOR EARLY VOTING POLLING PLACES

(Ubicación de las casillas electorales de votación adelantada)

Wharton County Annex D - Classroom 116
El Campo Library – Mayors Rm.
East Bernard Library

315 E. Milam St., Wharton
200 W. Church St., El Campo
746 Clubside Dr, East Bernard

EARLY VOTING DAYS & HOURS OF OPERATION

(Ubicación de las casillas electorales de votación adelantada)

Tuesday,	Oct. 13 – Friday,	Oct. 16	(8:00 a.m. – 5:00 p.m.)
Monday,	Oct. 19 – Friday,	Oct. 23	(8:00 a.m. – 5:00 p.m.)
Monday,	Oct. 26 – Wednesday,	Oct. 28	(8:00 a.m. – 5:00 p.m.)
Thursday,	Oct. 29 & Friday,	Oct. 30	(7:00 a.m. – 7:00 p.m.)

APPLICATIONS FOR BALLOTS BY MAIL SHALL BE MAILED TO:

(Las solicitudes para boletas que se votaran adelantadas por correo deberán enviarse a)

Cindy Richter, Early Voting Clerk
P. O. Box 390 Wharton, TX 77488

Applications for ballots by mail must be received no later than the close of business on Friday, October 23, 2020. (Las solicitudes de boletas por correo deben recibirse a más tardar el 5pm del viernes 23 de octubre de 2020.)

is available from the Elections Administrator of Wharton County. The manner of holding said election will be governed by the laws of the State of Texas governing general elections, the Federal Voting Rights Act of 1965, as amended and as provided in this ordinance. Early voting by a method other than by personal appearance shall be by paper ballot.

.. Compensation of all election officials is hereby established at the maximum amounts permitted under Section 32.091 et seq., Texas Election Code.


Section 8. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 9. Notice of said election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

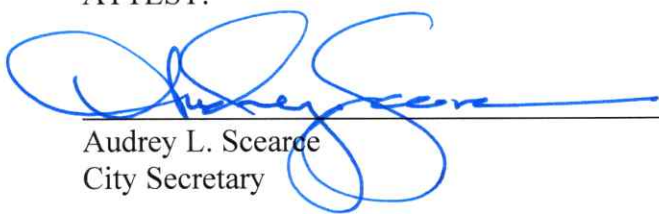
Section 10. The Notice and Order of Special Election to be published in the newspaper shall contain the full ballot in the body of the Notice and sample ballots shall also be posted at City Hall.

Section 11. That this Ordinance shall take effect immediately from and after its passage and approval.

PASSED, APPROVED, AND ADOPTED this 17th day of AUGUST, 2020.


Marvin Holub
Mayor

ATTEST:


Audrey L. Scearce
City Secretary

