

ORDINANCE NO. 978

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD IN THE TOWN OF HOLLYWOOD PARK, TEXAS TO SUBMIT A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF A SALES AND USE TAX UNDER THE PROVISIONS OF THE TEXAS TAX CODE TO CONTINUE PROVIDING REVENUE TO MAINTAIN AND REPAIR MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "City Council") of the TOWN OF HOLLYWOOD PARK, TEXAS (the "Town") hereby finds and determines that an election should be held to determine whether the City Council shall be reauthorized to levy and collect a sales and use tax within the City under the provisions of Chapter 327, as amended, Texas Tax Code (the "Act") to continue providing revenue for the maintenance and repair of municipal streets; and

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS THAT:

SECTION 1. An election shall be held on the 7th day of May, 2016 a uniform election date, in the TOWN OF HOLLYWOOD PARK, 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 submitting a proposition to the qualified voters of the Town regarding continuation of the sales and use tax of one-quarter (1/4) of one percent (1%) to maintain and repair municipal streets.

SECTION 2. Voting on Election Day and during early voting shall be done on Election Systems & Software, Inc. (ES&S) iVotronic™ Touch Screen Voting Unit with ballot tabulation performed by Bexar County Elections Administrator. Voting by Mail ballot and Provisional Voting shall be done by paper ballot.

SECTION 3. The polling place designated for Hollywood Park voting precincts 3092 and 3124 for voting in the May 7, 2016 Special Election shall be the Hollywood Park City Hall located at 2 Mecca Drive, Hollywood Park, Texas and such polling place shall be open on said election day from 7:00 a.m. to 7:00 p.m.

SECTION 4. The polling places designated for Hollywood Park voting precincts 3092 and 3124 for Early Voting for the May 7, 2016 Special Election shall be selected and published by the Bexar Elections Administrator. Early Voting will be conducted each weekday from 8:00 a.m. to 6:00 p.m. from Monday, April 25, 2016 through Friday, April 29, 2016. Weekend early voting will be conducted on Saturday, April 30, 2016 from 10:00 a.m. to 6:00 p.m. Extended hours for Early Voting will be conducted on Monday, May 2, 2016 and Tuesday May 3, 2016 from 8:00 a.m. to 8:00 p.m.

SECTION 5. Applications for ballot by mail shall be mailed to Bexar Elections Administrator, 203 W. Nueva, Suite 3.61, San Antonio, Texas 78207. The first day to accept applications for voting by mail ballot is March 23, 2016 and the last day to receive applications by mail for voting by mail ballot is the close of business on April 26, 2016.

SECTION 6. Jacqueline F. Callanen, Bexar Elections Administrator, is designated as the election officer to conduct the Special Election of May 7, 2016 and Early Voting for the Special Election. She shall appoint a sufficient number of clerks to assist in the proper conduct of the election and other persons to serve with her as an Early Voting Ballot Board.

SECTION 7. The official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote "FOR" or "AGAINST" the proposition which shall appear on the ballot substantially as follows:

"THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE TOWN OF HOLLYWOOD PARK, 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 4TH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED."

SECTION 8. All resident qualified electors of the City shall be permitted to vote at the election and on the day of the election, such electors shall vote at the designated polling place. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and Chapter 327, as amended, Texas Tax code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish. The reauthorized sales and use tax shall expire, unless reauthorized, as provided by the provisions of Section 327.007, as amended, Texas Tax Code.

SECTION 9. A substantial copy of this Ordinance shall serve as proper notice of the election. Such notice, including a Spanish translation thereof, shall be posted not later than the 21st day before the election on the bulletin board used for posting notices of meetings of the City Council and shall also be published at least once not earlier than the 30th day nor later than the 10th day before the election in a newspaper of general circulation in the City.

SECTION 10. The City Secretary of the Town of HOLLYWOOD PARK is authorized to enter into a contract with Bexar County Elections Administrator to conduct the election ordered

herein and committing to pay the fee charged by the Bexar County Elections Administrator for such services. The City Secretary is furthermore authorized to enter into a contract for the conduct of a joint election with other governmental entities in Bexar County, Texas.

SECTION 11. This Ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

PASSED and APPROVED this 16th day of February, 2016:



Chris Fails, Mayor

ATTEST:



City Secretary, Janice Alamia

APPROVED AS TO FORM:



City Attorney, Michael S. Brennan