

ORDINANCE NO. 711

AN ORDINANCE OF THE CITY OF HEDWIG VILLAGE, TEXAS PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON JANUARY 20, 2018, FOR THE PURPOSE OF DETERMINING WHETHER OR NOT TO REDUCE THE ADOPTED TAX RATE OF THE CITY OF HEDWIG VILLAGE, TEXAS TO THE ROLLBACK TAX RATE AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

WHEREAS, by Ordinance No. 707, the City Council of the City of Hedwig Village, Texas adopted an ad valorem tax rate of .271863, exceeding the rollback rate of .234281, for the Year of 2017; and

WHEREAS, on November 17, 2017 the City of Hedwig Village, Texas received a Petition from certain qualified voters of the City of Hedwig Village, Texas to hold an election to determine whether or not to reduce the adopted ad valorem tax rate to the rollback tax rate; and

WHEREAS, on December 4, 2017, the City Council of the City of Hedwig Village, Texas reviewed the Petition and passed a Resolution finding the Petition valid in accordance with the laws and Constitution of the State of Texas; and

WHEREAS, pursuant to *Section 26.07* of the *Texas Tax Code*, the City Council of the City of Hedwig Village, Texas, shall order a special election for the purpose of determining whether or not to reduce the adopted tax rate of the City of Hedwig Village, Texas to the rollback tax rate;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS THAT:

Section 1. In accordance with the general laws and the Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered for the third (3rd) Saturday in January, 2018, the same being the 20th day of said month (the "Election Day"), at which election all qualified voters of the City of Hedwig Village, Texas (the "City") may vote for the approval or disapproval of the following Measure for the purpose of determining whether or not to reduce the adopted tax rate of the City of Hedwig Village, Texas to the rollback tax rate:

Measure A: Reducing the ad valorem tax rate for the 2017 year from the tax rate adopted by the City Council of the City of Hedwig Village, Texas, being \$.271863 per \$100 of the assessed valuation to the rollback tax rate as determined by the Texas Tax Code, being \$.234281 per \$100 of assessed valuation.

Section 2. The official ballot for the Special Election shall be prepared in accordance with the Texas Tax Code and Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Measure A, which shall be presented to the electors in the form of the following PROPOSITION which shall be set forth in substantially the following form:

PROPOSITION A

Reducing the tax rate in the City of Hedwig Village, Texas for the current year from \$.271863 per \$100 of assessed valuation to \$.234281x per \$100 of assessed valuation.

FOR _____ AGAINST _____

Section 3. The present boundaries of the City constitute one (1) election precinct; the polls shall be open for voting from 7:00 a.m. until 7:00 p.m. on Election Day at the following polling place:

ELECTION DAY POLLING PLACE

City of Hedwig Village
955 Piney Point Road
Hedwig Village, Texas 77024

Section 4. The following are hereby appointed election officers to conduct said election at the above-referenced polling place:

ELECTION OFFICERS

_____ Presiding Judge
_____ Alternate Presiding Judge

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of the appointment as required by Section 32.009 of the Texas Election Code.

The Presiding Judge shall have the authority to appoint no more than five (5) clerks to assist in the holding of said election, but in no event shall the Presiding Judge appoint less than two (2) clerks.

Section 5. The City Secretary is hereby appointed clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.031 et. seq. of the Texas Election Code at said polling place which shall be the only early voting polling place for the election:

EARLY VOTING POLLING PLACE

City Hall
City of Hedwig Village
955 Piney Point Road
Hedwig Village, Texas 77024
Early Voting Clerk Email: Kjohnson@hedwigtx.gov

Said clerks for early voting shall keep said office open during the hours the City Secretary's main office is regularly open for business, that is, from 7:00 a.m. until 4:00 p.m. from Wednesday, January 3, 2018 through Tuesday, January 16, 2018, on each

day for early voting which is not a Saturday, a Sunday, or an official State or federal holiday, except that the City Secretary's main office shall be open for early voting from 7:00 a.m. until 7:00 p.m. on Tuesday, January 9, 2018 and Thursday, January 11, 2018. 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. The above-described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. Only ballot applications may be returned by email to the early voting clerk. 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 Voting 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 ballots shall be prepared in accordance with the Texas Election Code. Direct recording electronic voting machines ("DREs") and paper ballots shall be used for early voting by personal appearance and for voting on Election Day. Early voting by a method other than by personal appearance shall be by paper ballot. All expenditures necessary for the conduct of the election and the purchase of materials therefore is hereby authorized.

Section 8. The office of the Texas Secretary of State has certified that the Automark System from ES&S is an accessible voting system that may legally be used in Texas elections. Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. The City shall provide at least one (1) Automark in each polling place in every polling location used to conduct an election ordered on or after January 1, 2006.

Section 9. Compensation for all election officials is hereby established in amounts permitted under Section 32.091, Texas Election Code. Compensation for the Election Judge shall be \$15.00 per hour, plus an additional \$25.00. Election Clerks shall be paid \$10.00 per hour.

Section 10. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 11. If a majority of the qualified voters voting in the Special Election favor Proposition A, the City of Hedwig Village, Texas tax rate for the year 2017 is the rollback tax rate; otherwise, the City of Hedwig Village, Texas tax rate for the year 2017 is the tax rate adopted by the City Council of Hedwig Village, Texas.

Section 12. Notice of this 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 closing of the polls.

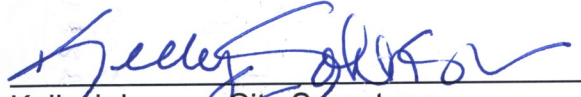
Section 13. Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

PASSED, APPROVED and ADOPTED this, the 4th day of December, 2017.



Brian T. Muecke, Mayor
City of Hedwig Village, Texas

ATTEST:



Kelly Johnson, City Secretary
City of Hedwig Village, Texas