MEMORANDUM

To: Members of the City Commission

From: Lisa Agnor, City Manager

Date: May 10, 2016

Subject: Approval of an Ordinance canvassing the results of the special election of a proposition on the question of reauthorization of the local sales and use tax to continue providing revenue for the maintenance and repair of municipal streets

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Attached is an Ordinance canvassing the results of the special election of the proposition regarding reauthorization of a portion of the local sales and use tax to continue providing revenue for the maintenance and repair of municipal streets.

ORDINANCE NO. _____

AN ORDINANCE CANVASSING RETURNS AND DECLARING RESULTS OF THE SPECIAL CITY ELECTION OF A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF MARSHALL AT THE RATE OF ONE-EIGHTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

STATE OF TEXAS
COUNTY OF HARRISON
CITY OF MARSHALL

WHEREAS, under and by virtue of an Ordinance passed and approved, and adopted by the City Commission on February 11, 2016 and thereafter published, an election was held in the City on May 7th, 2016 for the purpose of submitting a proposition to determine whether the City Commission shall be authorized to levy and collect a sales and use tax within the City under the provisions of Chapter 327, as amended, Texas Tax Code to provide revenue for the maintenance and repair of municipal streets; and

WHEREAS, the City Commission did direct that said election be held and conducted and the returns thereof made in accordance with the Texas Tax Code, the Texas Election Code, and the Charter of the City of Marshall; and,

WHEREAS, the special election was held in said City on the 7th day of May 2016 for the purpose of submitting to the qualified voters the following proposition:

Proposition No. 1: ***The reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8) of one (1) 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.***

_____ *YES — For the proposition.*
_____ *NO — Against the proposition.*

WHEREAS, upon consideration of the returns of said election, it appears that the same were in all respects legally held, that notice was properly given, and that the returns thereof were duly and legally made; and it further appearing that there were cast at said special election a total (which includes votes cast by early voting) of 1,163 which were cast as follows:

FOR	(early votes – 887)	Total – 1,036
AGAINST	(early votes – 111)	Total – 127
PROPOSITION PASSES BY:		909

AND it further appearing to the City Commission after a canvass of said ballots that, a majority of the qualified voters of said City voting at said election were in favor of Proposition No. 1.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. That said special election was duly called; that notice of said election was given in accordance with law; that said election was held in accordance with law; that the returns were duly and legally made; and that there were cast at said election valid and legal votes.

Section 3. The returns as set forth herein are declared to be official; that Proposition No. 1 reauthorizing a one-eighth (1/8) of one **(1)** percent sales and use tax for street maintenance is hereby recognized and declared to have passed.

Section 4. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

PASSED, APPROVED, AND ADOPTED this _____ day of May 2016.

AYES: _____

NOES: _____

ABSTAINED: _____

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PRESIDING OFFICER OF CANVASSING AUTHORITY
CHAIRMAN OF THE COMMISSION OF THE
CITY OF MARSHALL

ATTEST:

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ACTING CITY SECRETARY