

**ORDINANCE NO. 2008-4**

**AN ORDINANCE OF THE TOWN OF ANNETTA NORTH, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2008, TO DETERMINE WHETHER THE VOTERS OF THE TOWN OF ANNETTA NORTH DESIRE TO CONTINUE A SALES AND USE TAX FOR STREET MAINTENANCE IN THE CITY; DESIGNATING A POLLING PLACE; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; AUTHORIZING THE CITY SECRETARY TO MAKE SUBMISSIONS AS ARE NECESSARY TO THE UNITED STATES JUSTICE DEPARTMENT FOR PRE-CLEARANCE APPROVAL; PROVIDING FOR NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Annetta North, Texas is a Type B general-law municipality located in Parker County, created in accordance with the provisions of Chapter 7 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, pursuant to the Texas Tax Code, V.T.C.A., Chapter 327.001 et seq., (the "Act"), the Town of Annetta North adopted a one-fourth of one percent (1/4%) sales and use tax to provide for street maintenance; and

**WHEREAS**, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

**WHEREAS**, the Act provides that the Board of Aldermen may call an election to reauthorize a previously adopted sales and use tax to provide for street maintenance by adopting an ordinance; and

**WHEREAS**, the Act provides that an election to reauthorize the sales and use tax shall be held in accordance with Chapter 321 of the Tax Code; and

**WHEREAS**, Section 321.403 of the Tax Code states that such an election must be held on the first succeeding uniform date for which sufficient time elapses for the holding of an election; and

**WHEREAS**, Section 41.001 of the Texas Election Code (the "Code") specifies that the first Tuesday in November shall be a uniform election date;

**WHEREAS**, the Board of Aldermen of the TOWN OF ANNETTA NORTH, TEXAS, hereby finds and determines that an election should be held to determine whether to reauthorize a local sales and use tax at the rate of one-fourth (1/4) of one percent to provide for maintenance and repair of municipal streets.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF ANNETTA NORTH, TEXAS:**

**SECTION 1.  
ORDER**

A special election shall be held on Tuesday, November 4 2008, to submit to the voters a proposition to determine whether to reauthorize the one-quarter (1/4) of one percent (1%) sales and use tax for street maintenance purposes.

**SECTION 2.  
BALLOT**

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, with the ballots to contain such provisions, markings and language as required by law, and with such proposition to be expressed substantially as follows:

**PROPOSED**

FOR ( )

**THE REATHORIZATION OF THE LOCAL SALES AND USE TAX  
IN THE TOWN OF ANNETTA NORTH AT THE RATE OF ONE-  
FOURTH OF ONE PERCENT TO CONTINUE PROVIDING  
REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL  
STREETS.**

AGAINST ( )

**SECTION 3**

**ELECTION DAY POLLING PLACE:**

The Election Day polling place for the special election shall be at the *Annetta Methodist Church*, Annetta, Texas 76008 located at 2836 West FM 5, Annetta, Texas between the hours of 7:00 a.m. and 7:00 p.m.

**SECTION 4**

**APPOINTMENT OF ELECTION JUDGE  
AND ALTERNATE ELECTION JUDGE**

The following named individuals are hereby appointed to serve as presiding Election Judge and Alternate Presiding Judge, respectively, at the election:

Presiding Election Judge  
Alternate Presiding Judge

Name: Patsy Perkins  
Name: Jim Perkins

The Presiding Election Judge and Alternate Presiding Judge shall be qualified voters of the City. The City Secretary shall, in accordance with Section 32.009 of the Election Code, deliver to the Presiding Election Judge and the Alternate Presiding Judge notice of their appointments not later than twenty (20) days from the effective date of this Resolution.

**SECTION 5  
APPOINTMENT OF CLERKS**

The Presiding Election Judge for the polling place shall appoint Election Clerks and as many additional Clerks as are necessary for the proper conduct of the election. Provided, however, three (3) clerks shall be the maximum number of Clerks which may be appointed to serve at the polling places. The Judge shall make a reasonable effort to appoint at least one (1) bilingual election clerk.

**SECTION 6  
PUBLICATION AND POSTING OF NOTICE OF ELECTION**

Notice of the election shall be published at least once in the official newspaper in accordance with the provisions of the Code and City Charter.

**SECTION 7  
EARLY VOTING**

**(a) Early Voting by Personal Appearance.** The City Secretary, City of Annetta North, P.O. Box 1238, Aledo, Texas 76008 is hereby designated as the Early Voting Clerk and she may appoint the necessary deputy clerks as required for early voting. Early voting days will be Monday, October 20, 2008 from 7:00 a.m. till 7:00 p.m.; Wednesday, October 22, 2008, from 7:00 a.m. till 7:00 p.m.; Monday, October 27, 2008 from 7:00 a.m. till 7:00 p.m.; and Wednesday, October 29, 2008, from 7:00a.m. till 7:00 p.m. The early voting location is at 435 Quail Ridge, Annetta North, Texas. The early voting clerk's mailing address is 435 Quail Ridge, Aledo, Texas 76008.

**(b) Early Voting by Mail.** Applications for early voting by mail shall be mailed to City Secretary, City of Annetta North, P.O. Box 1238, Aledo, Texas 76008.

**(c) Early Voting Ballot Board.** Early voting shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Voting Ballot Board. The other election officers serving at the election shall serve as the other members of the Early Voting Ballot Board for the election.

**SECTION 8  
METHOD OF VOTING**

The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the General Election, in accordance with this resolution. Voting shall be by paper ballots.

**SECTION 9  
SUBMISSIONS TO THE UNITED STATES  
JUSTICE DEPARTMENT**

The Elections Administrator is hereby authorized to prepare a submission to the United States Justice Department to seek pre-clearance as required by law and as provided in the Legal Documents section of the Contract. In addition, the City Attorney is authorized to prepare any pre-clearance submission to the United States Justice Department deemed necessary or advisable in connection with the holding of the special election.

**SECTION 10  
NOTICES**

This Ordinance shall serve as the Order of Election (as required by Section 3.001 of the Code) and as the Notice of Election (as required by Section 4.001 of the Code). A copy of this ordinance shall be posted on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election. Notice shall be published in the newspaper in accordance with state law.

**SECTION 11  
NECESSARY ACTIONS**

The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Contract in carrying out and conducting the election, whether or not expressly authorized herein.

This ordinance shall be in full force and effective immediately after its passage.

**PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF OCTOBER 2008.**

APPROVED:

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Rob Watson, Mayor

ATTEST:

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Barb Webster  
City Secretary