

ORDINANCE # 2011-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS, PROVIDING FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY PROPOSITION NO. 1 TO REAUTHORIZE THE IMPOSITION OF A ONE-FOURTH OF ONE PERCENT SALES AND USE TAX PURSUANT TO CHAPTER 327, TEXAS TAX CODE, TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF CITY STREETS; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING THE FORM OF THE BALLOTS AT SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

Section 1. Election. It is hereby ordered that an Election be held in the City of Beasley, Texas, on the 14th day of May 2011, at which election there shall be submitted to the resident qualified voters of the City one proposition, for their action thereon, regarding the authority of the City to reauthorize the one-fourth of one percent sales and use tax pursuant to Chapter 327, Texas Tax Code, to continue providing revenues for maintenance and repair of City streets.

Section 2. The ballot for the Election shall conform to the requirements of the TEXAS ELECTION CODE, as amended, and on such ballot shall appear the following proposition, with the provision permitting voters to vote "For" or "Against" on the proposition without voting "For" or "Against" the proposition. Such proposition shall provide as follows:

Proposition No. 1

The reauthorization of the local sales and use tax in the City of Beasley, Texas, at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets.

Section 3. The present boundaries of the City constituting one election precinct, 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 PLACE

Beasley Elementary School
7515 Avenue J
Beasley Texas 77417

ELECTION OFFICERS

To be appointed by Fort Bend County Elections Department

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 4: The Fort Bend County Elections Department will appoint the clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the Fort Bend County Elections Department shall be in accordance with Section 83.031 *et seq.* of the TEXAS ELECTION CODE. The

City of Beasley City Hall
P.O Box 122 - 319th South 3rd Street
Beasley, Texas 77417

is hereby designated as the place for early voting for said election. Said clerks shall keep said office open during the hours that the City Secretary's main office is regularly open for business, that is, from nine o'clock (9:00) a.m. until three o'clock (3:00) p.m., Monday through Friday, May 2nd through May 6th, 2011, and from seven o'clock (7:00) a.m. to seven o'clock (7:00) p.m. on Monday and Tuesday, May 9th and 10th, 2011, for early voting which is not a Saturday, a Sunday or an official state or federal holiday, beginning on the sixteen (16th) day and continuing through the twenty-ninth (29th) day preceding the date of said election. 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. 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 5. Fort Bend County Elections Department will appoint the 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 6. All ballots shall be prepared in accordance with the TEXAS ELECTION CODE. Voting machines 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 are

hereby authorized. Compensation of all election officials is hereby established at the maximum amounts permitted under Section 32.091 *et seq.*, TEXAS ELECTION CODE.

Section 7. Fort Bend Elections Department is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 8. 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 Fort Bend County Elections Department shall issue all necessary orders and writs for such election. Returns of such election shall be made by the Fort Bend County Elections administrator to the City Secretary as soon as possible after all returns have been tabulated.

Section 9. 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 18 day of January, 2011.

ATTEST:



Kenneth Reid, Mayor



G.B. Michulka, City Secretary