

ORDINANCE NO. 2023-3

AN ORDINANCE OF THE CITY OF BEASLEY TEXAS, ORDERING AN ELECTION FOR: (i) MAYOR AND TWO CITY COUNCIL POSITIONS, AND (ii) REAUTHORIZATION OF A LOCAL SALES TAX IN THE CITY OF BEASLEY, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR ON MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, the City Council of the City of Beasley, Texas (the "City") hereby finds that an election should be held to determine whether it shall be reauthorized to continue imposing a local sales and use tax at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets in accordance with Section 327.007 of the Texas Tax Code; and

WHEREAS, the City Council further finds that an election should also be held to elect the positions of Mayor and two (2) Council Members; and

WHEREAS, the City has contracted with Fort Bend County for the County to perform election services; and

WHEREAS, the next uniform election date is May 6th, 2023, which is not less than 45 days from the date of the adoption of this Ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY THAT:

SECTION 1. An election is hereby ordered by City Council to be held on the 6th day of May, 2023 in the City of Beasley, Texas, for the purpose of electing the following offices:

| | | |
|----------------|------------------------------------|-------------|
| Mayor | Currently held by Kenneth Reid | 2 year term |
| Council Member | Currently held by Doug Harris | 2 year term |
| Council Member | Currently held by Carolyn Sabrsula | 2 year term |

SECTION 2. An election is also hereby ordered City Council to be held on the 6th day of May, 2023 in the City of Beasley, Texas, for the purpose of submitting the following measure to the qualified voters of the City:

MEASURE

"SHALL THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS BE REAUTHORIZED TO IMPOSE A 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 entire City shall constitute one election precinct for holding the election. The polling place designated for holding the election shall be the City Hall, 319 S. 3rd Street, Beasley, TX 77417. That the Elections Administrator of Fort Bend County, Texas, will appoint election judges, alternate judges and clerks as described in the Joint Election Agreement and Contract for Election Services between County of Fort Bend, City of Beasley, and other Political Subdivisions.

Prior to the date of the election, the election judges, alternate judges, clerks and other personnel necessary for conducting the Election will be appointed by the County Elections Administrator, and the election judges and alternate judges may be changed and the polling places may be combined for some precincts, pursuant to decisions of the County Elections Administrator. The County Elections Administrator shall be responsible for establishing the central counting station for the ballots cast in such election and appointing the personnel necessary for such station. The City Council hereby authorizes the City Secretary to appoint any such other officials not designated herein or appointed by the County Elections Administrator as are necessary and appropriate to conduct the Election in accordance with the Election Code.

Oral assistance in Spanish shall be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the Presiding Judge or the Early Voting Clerk.

The election shall be held in the City as prescribed by the applicable law and on the day of the election, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Early voting by personal appearance shall be conducted at the City Hall of the City of Beasley located at 319 S. 3rd Street, Beasley, TX 77417. Misty Tiemann, the City Secretary, whose mailing address is P.O. Box 122, Beasley, TX 7747, shall serve as the Early Voting Clerk. The Early Voting Clerk shall appoint not less than two (2) Deputy Early Voting Clerks in accordance with the provisions of the Texas Election Code. This office shall remain open to permit early voting from 8:00 a.m. to 5:00 p.m. April 24, 2023 through April 29, 2023, and 7:00 a.m. to 7:00 p.m. May 1, 2023 through May 2, 2023, in accordance with Section 31.097 and 271.006 of the Texas Election Code.

SECTION 4. Voting in the election for the propositions shall be by the use of an electronic voting system which shall conform to the requirements of the Texas Election Code. The ballots shall be printed to permit electors to vote “For” or “Against” the aforesaid proposition, which shall appear on the ballot substantially as follows:

PROPOSITION

“REAUTHORIZATION OF A LOCAL SALES TAX IN THE CITY OF BEASLEY, TEXAS AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR ON MUNICIPAL STREETS. THE TAX

EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.”

SECTION 5: Said elections shall be held in accordance with the Constitution and laws of the State of Texas, and all duly qualified resident electors of the City of Beasley, Texas shall be entitled to vote. The City will contract with the County of Fort Bend to conduct a joint election, and runoff election if necessary. Therefore, officers and clerks for the Elections shall be appointed by Fort Bend County

SECTION 6: 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 in accordance with applicable provisions of the Local Government Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

SECTION 7: Not later than the 21st day before Election Day, a copy of the notice, which must include the location of each polling place, shall be posted on the bulletin board used for posting notices of the meeting of the Governing Body of the City of Beasley; the notice shall remain posted continuously through Election Day. Notice of the election shall be given by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before Election Day in the official newspaper of the City.

Notice of the election shall be published in English and Spanish, in the manner required by law.

SECTION 8: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgement and findings of the City Council.

SECTION 9: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provision of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 10: This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 11: If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

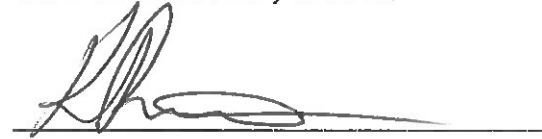
SECTION 12: It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including

this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 13: This Ordinance shall be in force and effect from and after the day of its adoption, and it is so ordained.

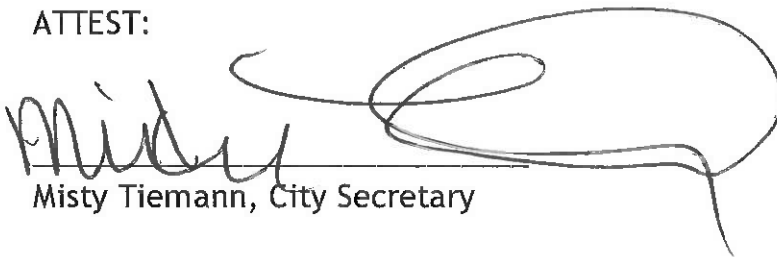
PASSED, APPROVED and ADOPTED on this 14th day of February, 2023.

CITY OF BEASLEY, TEXAS:

A handwritten signature in black ink, appearing to read "Kenneth Reid", written over a horizontal line.

Kenneth Reid, Mayor

ATTEST:

A large, stylized handwritten signature in black ink, appearing to read "Misty Tiemann", written over a horizontal line.

Misty Tiemann, City Secretary