

CITY OF JUSTIN, TEXAS  
ORDINANCE 2018-650

ELECTION ORDER

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JUSTIN ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2018 TO SUBMIT A PROPOSITION ON THE REDUCTION OF THE LOCAL SALES AND USE TAX IN THE CITY OF JUSTIN DEDICATED FOR THE BENEFIT OF THE SECTION 4A AND 4B ECONOMIC DEVELOPMENT CORPORATIONS FROM ONE-HALF (1/2) OF ONE PERCENT TO ONE-FOURTH (1/4) OF ONE PERCENT EACH AND TO ADOPT AND APPROVE A ONE-HALF (1/2) OF ONE PERCENT SALES TAX TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; DESIGNATING THE PLACE OF HOLDING SUCH ELECTION; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Justin, Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS,** the City previously held elections in accordance with Section 505.251 of the Texas Local Government Code to create 4A and 4B economic development corporations, wherein the registered voters of Justin, Texas, approved propositions to impose a one-half of one percent sales and use tax as permitted and for such purposes as prescribed under the statute for each of those corporations; and

**WHEREAS,** in accordance with the requirements of Chapter 321 of the Texas Tax Code, the combined rate of all local sales and use taxes imposed by the City and other political subdivisions having territory in the City will not exceed two (2) percent; and

**WHEREAS,** Section 41.001(a), Election Code, provides that except as otherwise provided for, each general or special election in this state shall be held on the first Saturday in May or the first Tuesday after the first Monday in November; and

**WHEREAS,** the City of Justin faces a myriad of street repair and maintenance issues in the face of a number of financial constraints; and

**WHEREAS,** the City of Justin City Council continues to support the development of the local economy and wishes to sustain the 4A and 4B Corporations, although at a lower funding level; and

**WHEREAS,** the City of Justin City Council seeks the voter's consideration of reducing the sales tax for both the Section 4A and 4B Economic Development Corporations from one-half (1/2) of one percent to one-fourth (1/4) of one percent each and authorize the

adoption of a local sales and use tax of one-half (1/2) of one percent to provide revenue for maintenance and repair of municipal streets; and

**WHEREAS**, the Council hereby finds and determines that it is in the best interest of the health, safety, and welfare of the public to approve this Ordinance.

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, THAT:**

**SECTION I  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION II  
ELECTION ORDERED**

The City Council of the City of Justin hereby orders that a Special Election be held on November 6, 2018, for the purposes of reducing the local sales and use tax dedicated for the benefit of a Section 4A and 4B Economic Development Corporations from one-half (1/2) of one percent to one-fourth (1/4) of one percent each and authorize the adoption of one-half (1/2) of one percent sales tax to provide revenue for maintenance and repair of municipal streets.

**SECTION III  
BALLOT LANGUAGE**

The ballots for said election shall be prepared in accordance with the applicable provisions of the Texas Election Code so that voters may cast their ballots either **“FOR”** or **“AGAINST”** the following proposition which shall appear on the ballot in substantially the following form:

"THE REDUCTION OF THE LOCAL SALES AND USE TAX IN THE CITY OF JUSTIN DEDICATED FOR THE BENEFIT OF A SECTION 4A and 4B ECONOMIC DEVELOPMENT CORPORATIONS FROM ONE-HALF (1/2) OF ONE PERCENT TO ONE-FOURTH (1/4) OF ONE PERCENT EACH AND AUTHORIZATION THE ADOPTION OF A ONE-HALF (1/2) OF ONE PERCENT SALES TAX TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS."

**SECTION IV  
PRECINCTS**

The election precinct for said election shall be the regular precinct of Denton County (Precinct XXX) to the extent that they are within the corporate limits of the City of Justin.

**SECTION V  
ADMINISTRATION OF ELECTION**

The Special Election shall be conducted in accordance with the provisions of the Texas Election Code. The City Manager is hereby authorized and directed to execute such election agreement for the election for and on behalf of the City, with all expenses of the joint election borne as outlined in the election agreement. The City of Justin will contract with Denton County for a joint election.

**SECTION VI  
EARLY VOTING CLERKS**

(a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk of the purposes of conducting said election:

Frank Phillips, Early Voting Clerk  
PO Box 1720  
Denton, TX 76202

(b) Brittany Andrews, City Secretary for the City of Justin shall serve as chief early voting clerk.

(c) Any permanent county employee serving under the Elections Administrator shall serve as deputy early voting clerks.

**SECTION V  
EARLY VOTING LOCATIONS**

Early voting shall be conducted by the Denton County Elections Administrator, Frank Phillips. The main early voting polling place is 415 N. College Ave., Justin, Texas 76247. Early voting in the City of Justin, Texas will be conducted at 415 N. College Ave, Justin, Texas 76247, and at all other locations in Denton County designated by the Denton County Elections Administrator.

The required early voting by personal appearance of said election as well as additional times established by the City Council are as follows:

<b>Monday- Friday</b>	<b>October 22-26</b>	<b>8am-5pm</b>
<b>Saturday</b>	<b>October 27</b>	<b>7am-7pm</b>
<b>Sunday</b>	<b>October 28</b>	<b>11am-4pm</b>
<b>Monday-Friday</b>	<b>October 29-November 2</b>	<b>7am-7pm</b>

**SECTION VI  
ELECTION DAY POLLING PLACES**

The City of Justin City Hall located at 415 N. College Ave., Justin, Texas 76247 and at all other locations in Denton County designated by the Denton County Elections Administrator.

**SECTION VII  
NOTICE AND PUBLICATION**

Notice of the Election shall be given by posting a notice of election in both English and Spanish at Justin City Hall located at 415 N. College Ave., Justin, Texas 76247, on the bulletin

board not later than twenty-one (21) days prior to the date upon which the Election is to be held, and by publication of said notice at least once in the official newspaper of the City, being a newspaper of general circulation within the City, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit.

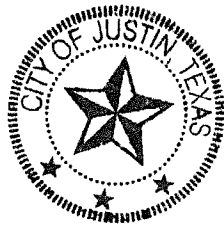
In addition, thereto, a copy of the notice shall also be filed with the City Secretary at least twenty-one (21) days before the Election.

**SECTION VIII**

A copy of this order shall be retained with the other records of the election in accordance with the Texas Election Code.

**APPROVED this the 20<sup>th</sup> day of August, 2018.**

DULY PASSED by the City Council of the City of Justin, Texas, on the 20<sup>th</sup> day of August 2018.



APPROVED:

David A. Wilson  
David Wilson, Mayor

ATTEST:

Brittany Andrews  
Brittany Andrews, City Secretary

APPROVED AS TO FORM:

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City Attorney