

ORDINANCE NO. 1068

AN ORDINANCE OF THE CITY OF LEVELLAND, TEXAS, CALLING AN ELECTION TO BE HELD IN THE CITY OF LEVELLAND, TEXAS, REGARDING THE REAUTHORIZATION OF SALES AND USE TAX FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS UNDER TEXAS TAX CODE CHAPTER 327; ESTABLISHING THE PROCEDURES AND CONDUCT OF THE ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION.

WHEREAS, the City of Levelland, Texas, through an election that was held pursuant to Chapter 327 of the Texas Tax Code authorized the use of sales and use tax for the maintenance and repair of municipal streets; and

WHEREAS, the authorization to use of sales and use tax for the maintenance and repair of municipal streets automatically expires after four years according to Texas Tax Code §327.007; and

WHEREAS, the citizens of Levelland voted to reauthorize the use of sales and use tax for the maintenance and repair of municipal streets on May 4, 2019 as submitted by Ordinance No. 1038 passed by the City Council of the City of Levelland; and

WHEREAS, the City Council of the City of Levelland has determined that an election should be held for the purpose of determining whether to reauthorize the use of sales and use tax within the City for the maintenance and repair of municipal streets under the provisions of Texas Tax Code, Chapter 327; and

WHEREAS, the City Council hereby finds and determines that an election under Texas Tax Code Chapter 327 has not been previously held within one year from the date of this ordinance; and

WHEREAS, the City Council hereby further finds and determines the City is not disqualified from reauthorizing the sales and use tax in that the combined rate of all sales and use taxes imposed by the City of Levelland, Texas, and other political subdivision having territory in the City does not and will not, with the adoption of the municipal sales and use tax, exceed two percent at any location in the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LEVELLAND, TEXAS:

SECTION 1. The recitals outlined above are found to be true and correct and are incorporated herein as though set forth fully herein.

SECTION 2. An election shall be held in the City of Levelland, Texas on the 6th day of May, 2023. Said election shall be for the purpose of voting for or against the following proposition:

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF LEVELLAND AT THE RATE OF ONE-FOURTH OF ONE 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.

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SECTION 3. All electors shall be permitted to and shall vote in the voting precinct district in which said voter resides, and at the polling place provided for voting as designated in Section 4 of this Ordinance.

SECTION 4. The Hockley County Tax Office at 624 Ave. H, Suite 103 is the designated the polling place. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 5. The Hockley County Election Administrator is hereby appointed judge for early voting; the appointment of a deputy clerk or clerks for early voting by the Election Administrator shall be in accordance with Section 83.001 et seq. of the Texas Election Code. The place for early voting for such election is hereby designated as:

Hockley County Elections Office
Hockley County Annex
911 Austin St
Levelland, Texas 79336

SECTION 6. Early voting by personal appearance will start on April 24, 2023 and end on May 2, 2023. Said clerks shall keep said office open during the hours that the Hockley County Election office is regularly open for business, that is, from eight-thirty (8:30) a.m. until five-thirty (5:30) p.m., on each day for early voting which is not a Saturday, a Sunday, or an official state holiday.

SECTION 7. The Election Judge shall be appointed by the Hockley County Election Administrator. The Election Judge shall have the authority to appoint no more than four clerks but must have a minimum of two clerks. Hockley County Election Administrator shall also appoint the Early Voting Ballot Board for such election.

SECTION 8. Applications for ballots for mail shall be mailed to: Jody Rose, Hockley County Elections Administrator, 624 Ave H, Suite 103, Levelland, Texas 79336. Applications for ballots by mail must be received no later than the close of business on April 25, 2023.

SECTION 9. The election shall be conducted in accordance with the Texas Election Code, and all election materials and proceedings shall be printed in both English and Spanish. The election notice shall be posted at three (3) public places within the City and at City Hall not more than

thirty (30) days and not less than fourteen (14) full days prior to the date on which said election is to be held.

SECTION 10. Effective Date. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION 11. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Levelland, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

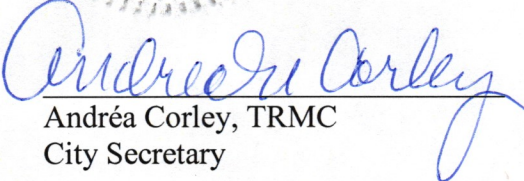
SECTION 12. Publication. The City Secretary of the City of Levelland is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

Passed and approved on first reading this 9th day of January, 2023.


Passed and approved on second reading this 23rd day of January, 2023.



Attest:


Andréa Corley, TRMC
City Secretary

CITY OF LEVELLAND, TEXAS


Barbra Pinner, Mayor