

## ORDINANCE NO. 23-503

### **AN ORDINANCE OF THE CITY OF RICHWOOD, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 6, 2023, TO DETERMINE WHETHER THE VOTERS OF THE CITY OF RICHWOOD DESIRE TO CONTINUE A SALES AND USE TAX FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS IN THE CITY; PROVIDING FOR NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of RICHWOOD is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, pursuant to the Texas Tax Code, V.T.C.A., Chapter 327.001 et. seq. (the "Act"), the City of RICHWOOD adopted a one-fourth (1/4<sup>th</sup>) of one percent (1%) 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 City Council 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 Texas Tax Code; and

WHEREAS, Section 321.403 of the Texas 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 Saturday in May shall be a uniform election date;

WHEREAS, all of the City of RICHWOOD and its voting precincts are located within Brazoria County only; and

WHEREAS, by this Ordinance, it is the intention of the City Council to adopt all requirements of an Election Order and Notice of Election in accordance with state law, and authorize a contract with Brazoria County for joint election services.

### **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHWOOD, TEXAS:**

**Section 1.** That special election to submit to the voters a proposition to determine whether to reauthorize the one-fourth (1/4<sup>th</sup>) of one percent (1%) sales and use tax for street maintenance purposes is hereby ordered and shall be held in and throughout the City of Richwood, Texas, on the 6<sup>th</sup> day of May 2023, being the first Saturday in May.

**Section 2.** That voting on Election Day will be held at the Richwood City Hall, 1800 Brazosport Blvd, Richwood, Texas. Voting will also be conducted at all of the Vote Centers in Brazoria County, Texas that are listed on Exhibit A. That early voting by personal appearance will begin on April 24, 2023, and end on May 2, 2023. Early voting locations are attached as Exhibit B.

**Section 3.** 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  
(A FAVOR DE)

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF RICHWOOD 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.

AGAINST  
(EN CONTRA DE)

LA REAUTORIZACIÓN DE LOS IMPUESTAS DE VENTAS Y USO DE LA CIUDAD DE RICHWOOD A LA TASA DE INTERÉS DE UN CUATRO DE UN PORCIENTO SE CONTINUARÁ HACIENDO PREVISIONES DE INGRESOS PARA MANTENIMIENTO Y REPARACIÓN DE LAS CALLES MUNICIPALES.

**Section 4. 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). Notice shall be published in the newspaper in accordance with state law.

**Section 5. NECESSARY ACTIONS:** The Mayor or the City Secretary of the City, in consultation with the City Attorney as needed, 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.

**Section 6.** If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

**Section 7.** This ordinance shall be in full force and effective immediately after its passage.

PASSED AND APPROVED on this 09<sup>th</sup> day of January 2023.

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Mark Guthrie, Mayor

ATTEST:

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Kirsten Garcia, City Secretary

## EXHIBIT A

<i>CITY (CIUDAD)</i>	<i>POLLING PLACE (SITIO DE VOTACIÓN)</i>	<i>ADDRESS (DIRECCIÓN)</i>
Alvin	Alvin Library	105 S Gordon
Alvin	Heights Baptist Church	1591 County Road 144
Alvin	Nolan Ryan Center	3110 Mustang Rd
Angleton	East Annex (Old Walmart) Room 144	1524 E Mulberry
Angleton	West Annex	451 N Velasco
Bonney	Bonney Annex Building	19025 FM 521
Brazoria	Brazoria Library	620 S Brooks
Brazoria	Greater Mount Zion Event Center	6437 FM 521
Brookside Village	Brookside Village Community Center	6243 Brookside Rd
Clute	Clute Event Center	100 Parkview Dr
Damon	Damon Elementary School	1211 Mulcahy
Danbury	Danbury Community Center	6115 5th St
Freeport	Freeport Library	410 Brazosport Blvd
Holiday Lakes	Holiday Lakes City Hall	195 N Texas Ave
Iowa Colony	Alvin ISD Heritage Complex	10855 Iowa Colony Blvd
Jones Creek	Jones Creek Community House	7207 Stephen F Austin Rd
Lake Jackson	Lake Jackson Annex Courtroom	202 Peach St
Lake Jackson	Lake Jackson Civic Center	333 Hwy 332 East
Liverpool	Liverpool City Hall	8901 County Road 171
Manvel	ESD No. 3 Station	6931 Masters Rd
Manvel	North Annex	7313 Corporate Dr
Manvel	Pct. 4 North Annex	3633 County Road 58
Oyster Creek	Oyster Creek City Hall	3210 FM 523
Pearland	Delores Fenwick Nature Center	5750 Magnolia Pkwy
Pearland	Drainage Dist No. 4 Building	4813 W Broadway
Pearland	First Church of Pearland	1850 E Broadway
Pearland	New Harvest Christian Fellowship	12216 Broadway
Pearland	Pearland Recreation Center	4141 Bailey Rd
Pearland	Shadycrest Baptist Church	3017 Yost Blvd
Pearland	Silverlake Church	1865 Cullen Blvd
Pearland	Silverlake Recreation Center	2715 Southwyck Pkwy
Pearland	Tom Reid Library	3522 Liberty Dr
Pearland	West Pearland Community Center	2150 Countryplace Pkwy
Pearland	West Pearland Library	11801 Shadow Creek Pkwy
Richwood	Richwood City Hall	1800 Brazosport Blvd N
Sandy Point	Sandy Point Bible Church	119 County Road 42
Surfside Beach	Surfside Beach City Hall	1304 Monument Dr
Sweeny	Sweeny Community Center	205 Ashley Wilson Rd
West Columbia	Precinct 4 Building #2	121 N 10th St

**EXHIBIT B**

**EARLY VOTING BRANCH POLLING PLACES**  
**LOS SITIOS DE VOTACIÓN AUXILIARES PARA VOTACIÓN ADELANTADA**

Early voting by personal appearance will be conducted at the following locations:  
*La votación adelantada en persona se llevará a cabo en los siguientes sitios de esta manera:*

- Angleton (Main) .....East Annex, 1524 E Mulberry
- Alvin .....Alvin Library, 105 S Gordon
- Brazoria .....Brazoria Library, 620 S Brooks
- Freeport .....Freeport Library, 410 Brazosport Blvd
- Lake Jackson .....Lake Jackson Library, 250 Circle Way
- Manvel .....North Annex, 7313 Corporate Dr
- Pearland East .....Tom Reid Library, 3522 Liberty Dr
- Pearland West .....Westside Event Center, 2150 Countryplace Pkwy
- Shadow Creek .....Pearland Westside Library, 2803 Business Center Dr #101
- Sweeny .....Sweeny Community Center, 205 W Ashley Wilson Rd
- West Columbia .....Precinct 4 Building 2, 121 N 10<sup>th</sup> St

**DATES AND HOURS:**

**FECHAS Y HORAS**

- April 19-23 ..... 8 AM – 5 PM
- April 24 ..... 7 AM – 7 PM
- April 26-27 ..... 7 AM – 7 PM