

ORDINANCE 01-04-26

AN ORDINANCE OF THE CITY OF SANGER, TEXAS, DENTON COUNTY, TEXAS, CALLING AND ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2026, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE EXTRATERRITORIAL JURISDICTION (“ETJ”) OF THE CITY OF SANGER, TEXAS, A BALLOT PROPOSITION TO CONSIDER THE ADOPTION OF A MUNICIPAL DEVELOPMENT DISTRICT (MDD) AT THE RATE OF ONE-HALF OF ONE PERCENT (0.50%) WITHIN SAID DISTRICT CONTINGENT UPON THE ABOLITION OF THE SALES AND USE TAX COLLECTED FOR THE SANGER INDUSTRIAL DEVELOPMENT CORPORATION (SIDC), A TYPE A ECONOMIC DEVELOPMENT SALES TAX, AT THE RATE OF ONE-HALF OF ONE PERCENT (0.50%); ESTABLISHING PROCEDURES FOR THE CONDUCT OF SUCH ELECTION; PROVIDING OTHER DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; DESIGNATING LOCATIONS OF POLLING PLACES; PROVIDING FOR DATES; TIMES AND PLACE FOR VOTING AND EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING DEADLINE FOR APPLICATIONS FOR BALLOT BY MAIL; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sanger, Texas (the “City”) is a home rule municipality regulated by state law and Charter; and

WHEREAS, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the “Code”) establishes the first Saturday in May as a “uniform election date” for the purpose of conducting special elections; and

WHEREAS, the City’s Charter, Article VII, Section 7.01 requires the General Election to be held in May. Further, the City may by ordinance order a special election pursuant to Chapter 41 of the Code, and Chapter 377 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Sanger, Texas, has determined that the City shall conduct a Special Election for the purposes of submitting to the qualified voters of the extraterritorial jurisdiction (“ETJ”) of the City of Sanger, Texas, either for or against, a ballot proposition of whether to adopt the creation of a Municipal Development District (MDD) at the rate of one-half of one percent (0.50%) within said district, which would comprise the City of Sanger, Texas, and the extraterritorial jurisdiction of the City of Sanger, Texas, as provided for by Chapter 323 of the Texas Tax Code and Chapter 377 of the Texas Local Government Code, contingent upon the voters of the City of Sanger, Texas, voting to abolish the Sanger Industrial Development Corporation (SIDC), a Type A economic development sales tax, at the rate of one-half of one percent (0.50%) within the corporate limits of the City; and

WHEREAS, the City of Sanger, Texas, desires to conduct joint elections pursuant to the provisions of the Texas Election Code, and as established in a joint election agreement for election services with the Denton County Elections Administrator; and

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of the City of Sanger, Texas, and its extraterritorial jurisdiction.

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

SECTION 1. The May Special Election for the City of Sanger, Texas, as set forth by the Texas Election Code and City's Charter is hereby ordered to be held on Saturday, May 2, 2026, for the purpose of submitting to the qualified voters of the extraterritorial jurisdiction ("ETJ") of the City of Sanger, Texas, either for or against, the proposition of whether to adopt the Municipal Development District (MDD) at the rate of one-half of one percent (0.50%) within the extraterritorial jurisdiction ("ETJ") of the City, contingent upon the eligible voters of the City approving a joint ballot proposition to abolish the Sanger Industrial Development Corporation (SIDC), a Type A economic development sales tax, at the rate of one-half of one percent (0.50%) within the corporate limits of the City of Sanger, Texas, and the adoption of the Municipal Development District (MDD) at the rate of one-half of one percent (0.50%) within the City.

SECTION 2. The preparation of the voting equipment to be used in connection with the special elections ordered herein shall conform with the Texas Election Code, as amended, so as to permit the electors to vote "FOR" or "AGAINST" the propositions below. Printed ballots shall have printed thereon such provisions, markings, and language as may be required by law. Additionally, the official ballots for said election shall be prepared in accordance with the Texas Election Code and Texas Tax Code so as to permit all eligible voters of the extraterritorial jurisdiction ("ETJ") of the City to vote "FOR" or "AGAINST" the proposition, with the ballot to contain such provisions, markings and language as required by law and with such proposition to be expressed substantially as follows:

PROPOSITION A

FOR _____
AGAINST _____

"Authorizing the creation of the Sanger Municipal Development District and the imposition of a sales and use tax at the rate of one-half of one percent (0.50%) for the purpose of financing development projects beneficial to the district, which comprises the City of Sanger, Texas, and the extraterritorial jurisdiction of the City of Sanger, Texas, contingent upon the eligible voters of the City of Sanger, Texas, approving a joint ballot proposition on the termination of the Sanger Industrial Development Corporation, a Type A economic development corporation and local sales and use tax at a rate of one-half of one percent (0.50%), and the creation of the Sanger Municipal Development District and the imposition of a sales and use tax at the rate of one-half of one percent (0.50%) for the purpose of financing development projects beneficial to the district, which comprises the City of Sanger, Texas, and the extraterritorial jurisdiction of the City of Sanger, Texas."

SECTION 3. Frank Phillips (or his successor), Denton County Elections Administrator, at 701 Kimberly Drive, Suite A100, Denton, Texas 76208, is hereby appointed as Early Voting Clerk and may appoint additional deputy early voting clerks as necessary to properly conduct the Election. Denton County Election Administration contact information: (940) 349-3200; e-mail elections@dentoncounty.gov; and website - <https://www.votedenton.gov/>. The Election shall be conducted under the jurisdiction of the Denton County Elections Department (the “Elections Administrator”) pursuant to an Election Services Contract (the “Contract”) by and among the Denton County Elections Department, the City and other participating entities, if any, described in the Contract. The Mayor or the Mayor’s designee is authorized to execute, amend, or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator.

SECTION 4. All early voting shall be conducted pursuant to and in accordance with the applicable provisions of the State of Texas Election Code. The Elections Administrator shall determine the early voting place and hours; however, such locations may be changed if directed by the Elections Administrator without further action of the City Council. The Elections Administrator is hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The Elections Administrator is hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Code.

SECTION 5. That the Denton County Elections Administrator/Early Voting Clerk shall select and arrange for the use of Early Voting and Election Day voting locations. The Denton County Elections Administrator/Early Voting Clerk has established the following early voting dates, times, and locations for early voting by personal appearance:

EARLY VOTING POLLING LOCATIONS

Main Early Voting Polling Location

Denton County Elections Center, 701 Kimberly Drive, Suite A111, Denton, Texas 76208

City of Sanger Community Center, 101 Freese, Sanger, Texas 76266

*Other Denton County locations will be designated by the Denton County Elections Administrator/Early Voting Clerk pursuant to the joint election agreement with other political subdivisions in Denton County.

DAYS AND HOURS OF EARLY VOTING BY PERSONAL APPEARANCE

(hours subject to change):

| | | |
|-------------------|-------------------------|-------------------------|
| Monday – Saturday | April 20-April 25, 2026 | 8:00 a.m. to 5:00 p.m. |
| Sunday | April 26, 2026 | 11:00 a.m. to 5:00 p.m. |
| Monday-Tuesday | April 27-April 28, 2026 | 7:00 a.m. to 7:00 p.m. |

Denton County will be responsible for applications for a ballot by mail. Applications for a ballot by mail (ABBMs) and Federal Post Card Applications (FPCAs) must be received no later than must be received by April 20, 2026. The applications for Early Voting shall be delivered to Frank Phillips, Election Administrator for Denton County at 701 Kimberly Drive, Suite A100, Denton, Texas 76208.

ELECTION DAY POLLING LOCATION
(subject to change)

City of Sanger Community Center, 101 Freese, Sanger, Texas 76266

Election Day polls shall be open from 7:00 a.m. until 7:00 p.m.

SECTION 6. Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid all respects said remaining portion shall be and remain in full force and effect.

SECTION 7. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be published and/or posted in connection with the conduct of this election. The Denton County Election contract shall designate the election judges for the election. The election, including providing notice of the election shall be conducted in accordance with the Texas Election Code and other applicable law, and all residents qualified and registered voters of the City shall be eligible to vote at the election.

SECTION 8. The Mayor and City Secretary are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 9. This ordinance will take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such case provide.

PASSED AND APPROVED THIS THE 5TH DAY OF JANUARY 2025.

ATTEST:

Kelly Edwards, City Secretary

APPROVED:

Thomas E. Muir, Mayor

APPROVED TO FORM:

City Attorney