

ORDINANCE NO 2020-O-36

AN ORDINANCE CANVASSING THE RETURNS OF THE SPECIAL ELECTION HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF STEPHENVILLE THE ADOPTION OR REJECTION OF AN ADDITIONAL TWO PERCENT HOTEL OCCUPANCY TAX FOR THE PURPOSE OF FINANCING A “SPORTS VENUE PROJECT” IN ACCORDANCE WITH CHAPTER 334, TEXAS LOCAL GOVERNMENT CODE AND DECLARING RESULTS OF THAT ELECTION.

WHEREAS, pursuant to Ordinance No. 2020-O-04 of the City of Stephenville, Texas, adopted on the 4th day of February, 2020, a Special Election was duly held on the 4th day of November 2020, for the purpose of submitting to the qualified voters of the City of Stephenville a ballot measure to authorize the collection of an additional 2% Hotel Occupancy Tax for the purpose of funding a “Sports Venue Project” as defined in Chapter 334, Texas Local Government Code; and

WHEREAS, said Special Election was held with the solemnities and formalities necessary to make a valid election, all notices having been posted in the manner and for the length of time required by law; and,

WHEREAS, only duly qualified resident voters of the City of Stephenville, Texas, voted at the Special Election called and held on November 4, 2020; and,

WHEREAS, a quorum of the City Council met on Tuesday, November 10, in a public meeting duly called and conducted in accordance with the Texas Open Meetings Act and duly canvassed the election returns of the above described Special Election.

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

SECTION 1.

The findings set forth above are found and determined to be true, and are incorporated into the body of this ordinance for all purposes as if fully set forth herein.

SECTION 2.

The City Council of the City of Stephenville, having canvassed the returns of said Special Election and all election procedures heretofore occurring, finds the election was duly and properly ordered; that due and proper notice of the election was given; that the election was in all respects regularly and lawfully held, and that said returns thereof have been duly and legally made and that the following propositions received the following votes:

Proposition A		
For	4614	78%
Against	1291	22%

SECTION 3.

Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of Stephenville Charter, the City Council finds, determines, and declares the results of said Special Election to be that Proposition A has been approved by a majority of the qualified voters of the city who

voted in the Special Election.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this order shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this order, since the same would have been enacted by the City Council without the incorporation of this order of any such unconstitutional phrase, clause, sentence, paragraph or section.

PASSED AND APPROVED this the 10th day of November, 2020.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Reviewed by Allen L. Barnes,
City Manager

Randy Thomas, City Attorney
Approved as to form and legality