

ORDINANCE NO. 2018-3

A JOINT ORDINANCE OF THE COMMISSIONS OF THE TOWNS OF BROCK AND BROCK WEST, TEXAS CANVASSING AND DECLARING THE RESULTS OF THE MAY 5, 2018 ELECTION TO CONSOLIDATE THE TOWNS OF BROCK AND BROCK WEST INTO ONE CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to the requirements of Texas Local Government Code Chapter 321, the Commissions (the "Commissions") of the Towns of Brock and Brock West (the "Towns or Cities") previously accepted the petitions of the residents of each town and ordered a Special Election to submit to the voters the option to consolidate into one city to be jointly held; and

WHEREAS, the Cities did properly hold a joint election on Saturday, May 5, 2018 with the ballot reading as follows:

Proposition A

Consolidate Brock and Brock West into one city

For

Against

WHEREAS, the election officers who administered the election have duly made the returns of the result thereof, and said returns have been duly delivered to the Commissions; and

WHEREAS, the Commissions have canvassed the returns of this election which was submitted to all resident qualified voters of the Towns to vote for or against the Proposition A listed above as follows:

	BROCK	BROCK WEST
FOR	46	36
AGAINST	0	0

WHEREAS, the Commission finds and determines that the holding of the election and canvassing of the returns was conducted in accordance with the provisions of the Texas Election Code and Texas Local Government Code and applicable law;

NOW THEREFORE BE IT JOINTLY ORDAINED BY THE COMMISSIONS OF THE TOWNS OF BROCK AND BROCK WEST, TEXAS:

SECTION 1. INCORPORATION OF RECITALS. The Commissions find that the statements set forth in the recitals of this Ordinance are true and correct, and are incorporated as a part of this Ordinance.

SECTION 2. FINDINGS The Commissions officially find and determine that said election was duly ordered; proper notice of said election was duly given; proper election officers were duly appointed prior to said election; said election was duly held; the Towns have complied

with applicable law; returns of the result of said election have been made and delivered; and the Commissions have duly canvassed said returns, all in accordance with applicable law.

SECTION 3. VOTES CAST ON PROPOSITION A. The Commissions officially find and declare that the following votes were cast at said election on the submitted PROPOSITION by the resident, qualified electors of the Town who voted at the election:

Proposition A

Election for or against: A sales and use tax is adopted within the city at the rate of one and one-half percent (1.5%)

	BROCK		BROCK WEST	
FOR	46	100.00%	36	100.00%
AGAINST	0	0.00%	0	0.00%
TOTAL VOTES	46	100.00%	36	100.00%

SECTION 4. DECLARATION OF RESULTS. The Commissions officially find, determine, and declare the result of said election to be that the **PROPOSITION A – CONSOLIDATION INTO ONE CITY** submitted was approved and passed by a majority vote of those qualified voters of the Cities voting at such election voting FOR such Proposition and that the consolidation of the Towns into one city is hereby approved.

SECTION 5. EFFECT OF CONSOLIDATION Pursuant to state law, Brock West, being the smaller municipality shall merge into Brock and the consolidated Towns shall be known as Brock and the ordinances and laws of the town of Brock shall be the controlling laws of the incorporated areas consolidated. All property, accounts, money, assets and liabilities of Brock West shall be turned over to or assumed by Brock and the Brock Commission shall remain in office for the remainder of their terms subject to vacancy provisions. The sales taxes previously collected by Brock West shall now be collected by Brock and the Brock Town Clerk shall send notice to the Texas State Comptroller of said consolidation.

SECTION 6. ORDINANCE TO CONTROL. All ordinances and resolutions, or parts thereof, which conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 7. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED BY THE COMMISSIONS OF THE TOWNS OF BROCK AND BROCK WEST, TEXAS ON THIS 14TH DAY OF MAY, 2018.

APPROVED:

BROCK



MAYOR BILL COOPER

BROCK WEST



MAYOR JAY HAMILTON

Attest



KERRI PRENTICE, Town Clerk