

ORDINANCE NO. 2017-11-17.1

AN ORDINANCE OF THE COMMISSION OF THE TOWN OF BROCK, TEXAS DECLARING THE RESULTS OF THE NOVEMBER 7, 2017 ELECTION TO IMPLEMENT A SALES AND USE TAX OF ONE AND ONE-HALF PERCENT (1.5%) WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN FOR GENERAL USE PURPOSES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to the requirements of Texas Tax Code Chapter 321, the Commission (the "Commission") of the Town of Brock (the "Town or City") ordered a Special Election to submit to the voters the option to implement a sales and use tax for general purposes within the municipal boundaries of the Town for one and one-half percent (1.5%); and

WHEREAS, the City did properly hold such election on Saturday, November 7, 2017, with the ballot reading as follows:

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%)

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 Commission; and

WHEREAS, the Commission has by resolution canvassed the returns of this election which was submitted to all resident qualified voters of the Town to vote for or against the Proposition A as listed above.

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 Tax Code and applicable law;

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF BROCK, TEXAS:

SECTION 1. INCORPORATION OF RECITALS. The Commission finds 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 Commission officially finds and determines 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 Town has complied with applicable law; returns of the result of said election have been made and delivered; and the Commission has duly canvassed said returns, all in accordance with applicable law.

SECTION 3. VOTES CAST ON PROPOSITION A. The Commission officially finds and declares 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%)

FOR	48	75%
AGAINST	16	25%
TOTAL VOTES	64	100%

SECTION 4. DECLARATION OF RESULTS. The Commission officially finds, determines, and declares the result of said election to be that the **PROPOSITION A – SALES TAX IMPLEMENTATION** submitted was approved and passed by a majority vote of those qualified voters of the City voting at such election voting FOR such Proposition and that the sales and use tax of one and one-half percent (1.5%) is hereby adopted by Brock for general use purposes.

SECTION 5. AUTHORITY TO IMPLEMENT THE SALES AND USE TAX The Commission hereby finds that pursuant to such election, the voters of the City (i) have, as a result of such election, authorized the City Council to impose, levy, assess, and collect the aforesaid sales and use tax as voted and as provided by law, for the purpose of general use budget needs in the Town and same is hereby adopted, imposed and levied in compliance with applicable law.

SECTION 6. AUTHORITY TO SEND NOTICE OF RESULTS OF ELECTION TO THE STATE COMPTROLLER. The Town's Clerk is hereby authorized and directed to send to the State Comptroller by certified or registered mail, a certified copy of this Ordinance, along with a map of the City clearly showing the boundaries of the City, pursuant to Texas Tax Code, Section 321.405.

SECTION 7. 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 8. 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 COMMISSION OF THE TOWN OF BROCK,
TEXAS ON THIS 17TH DAY OF NOVEMBER, 2017.

APPROVED:



Mayor Bill Cooper

Attest



Lisa Bellamy, Acting Town Clerk