

2001-03-01

**ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF POINT VENTURE, TEXAS  
CALLING A MUNICIPAL SALES AND USE TAX ELECTION  
TO BE HELD WITHIN SAID MUNICIPALITY MAKING PROVISION  
FOR THE CONDUCT OF THE ELECTION AND RESOLVING  
OTHER MATTERS INCIDENT AND RELATING TO  
THE HOLDING OF SUCH ELECTION**

WHEREAS, the Village Council of the Village of Point Venture, Texas ("Point Venture"), hereby finds that an election should be held on the next uniform election date to determine whether said governing body shall be authorized to adopt a municipal sales and use tax as authorized by Chapter 321 of the Texas Tax Code, and

WHEREAS, the next uniform election date is May 5, 2001 which is more than forty-five (45) days from the date of the adoption of this ordinance such that an election may be ordered by Point Venture; and

WHEREAS, holding the election on the uniform election date in May is convenient for the qualified voters of Point Venture.

IT IS, THEREFORE, ORDERED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE THAT:

Section 1. Call of special election; date; territory, eligible electors; and hours. Pursuant to Chapter 321 of the Texas Tax Code, an Election (the "Election") to determine whether Point Venture shall be authorized to adopt a municipal sales and use tax, shall be held on May 5, 2001. Said Election date is forty-five (45) or more days from the date of the adoption of this ordinance (the "Ordinance") and the Election shall be solely in the territorial boundaries of Point Venture at which all resident, qualified electors of Point Venture shall be entitled to vote. The Village Council hereby finds that holding the Election on such date, which is a uniform election date, is in the public interest. The hours during which the polling places are to be open at the Election shall be from 7:00 o'clock a.m. to 7:00 o'clock p.m.

Section 2. Measure to be Submitted. At such Election, the following measure shall be submitted:

“Shall the Village Council of the Village of Point Venture, Texas, be authorized to adopt a one percent municipal sales and use tax within the Village of Point Venture?”

Section 3. Ballots. A paper ballot and compatible equipment for such an Election, as defined and described in the Texas Election Code, shall be utilized for the Election. Ballots shall be

prepared in accordance with the Texas Election Code, so as to permit the electors to vote “FOR” or “AGAINST” the above-referenced measure which shall appear on the ballot substantially as follows:

“A ONE PERCENT SALES AND USE TAX IS ADOPTED  
WITHIN THE VILLAGE OF POINT VENTURE.”

FOR            [   ]

AGAINST      [   ]

Section 4.      Conduct of election and appointment of officials. The Election shall be conducted by election officers appointed by the Village Council in accordance with the Texas Election Code, the Constitution and laws of the State of Texas and the United States of America.

The Board hereby designates and appoints the election officials listed in Exhibit “B” which document is attached hereto and incorporated herein by reference, as the Presiding Judge(s) and Alternate Presiding Judge(s) to serve in the precincts and at the polling places designated in Exhibit “B” for the May 5, 2001 election. The Presiding Judge for each precinct in which a common polling place is used may appoint election clerks as necessary to assist the Judge in the conduct of the election at the precinct polling place. The Alternate Presiding Judge may be appointed as a clerk. The Alternate Presiding Judge may serve as the Presiding Judge for the precinct in the absence of the Presiding Judge. Election judges and election clerks shall be compensated at the rate of \$6.00 per hour. Election judges and clerks shall be paid at this same rate for time spent in training. In addition, election judges responsible for delivering the ballots and other election materials and records to the designated locations shall be paid \$25.00 for such delivery. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code and other applicable laws.

Section 5.      Voting Precincts and Election Day Polling Place. The entire Village shall constitute one election precinct for this election. The election day polling place shall be the Venture Room, 555 Venture Blvd. S., Point Venture, TX 78645.

A map depicting all the boundaries of the Village which constitutes the voting precinct for this Election is included in Exhibit “A” to this Ordinance, which is hereby incorporated by reference as if fully set out in the body of this Ordinance.

Section 6.      Election information to be provided in Spanish. The Mayor and all other election officers appointed by the Village Council responsible for the preparation of notices, instructions, orders, ballots and other written material pertaining to the Election shall cause each such document to be translated into and furnished to voters in both the English language and the Spanish language in order to aid and assist voters speaking Spanish as a primary or an alternative language to properly participate in the election process. In addition, the Mayor and other responsible election officers are hereby authorized and directed to make available to the voters having the need of an individual capable of acting as a translator and speaking both English and Spanish languages who will assist Spanish speaking voters in understanding and participating in the election process.

Section 7. Appointment of Early Voting Clerk and Early Voting by Mail. Pursuant to the Texas Election Code, the Secretary to the Village Council, Charlotte Banasik, shall serve as Early Voting Clerk for all purposes. The Early Voting Clerk shall be authorized to receive ballot applications for ballots to be voted by mail. Ballot applications submitted by mail shall be addressed to the Village's Early Voting Clerk at the address indicated immediately below.

Charlotte Banasik, Early Voting Clerk  
Village Hall  
549 Venture Blvd. S.  
Point Venture, TX 78645

The Early Voting Clerk for Point Venture shall collect all applications for ballots received by Point Venture at the above address during the period allowed by the Texas Election Code.

Section 8. Early Voting; Early Voting Ballot Board. The Early Voting Clerk shall have the authority to designate such deputy early voting clerks as may be necessary to staff the Main Early Voting Polling Place established under this Ordinance.

The Main Early Voting Polling Place and Times are referenced on Exhibit "C".

The Presiding Judge, Alternate Presiding Judge, and the clerks shall also serve as the Early Voting Ballot Board for the election, which Board shall consist of the Presiding Judge, who is the presiding officer of the Board, and at least two (2) other members. Members of the Early Voting Ballot Board shall be compensated as provided by the Texas Election Code.

Section 9. Canvassing of Returns; Declaring Results. The Village Council shall canvass the returns and declare the results of the Election in accordance with the Texas Election Code and the Texas Tax Code.

Section 10. Notice of Election. Notice of the Election shall be published one time in the English and Spanish languages, in a newspaper published within Point Venture's territory at least 10 days and no more than 30 days before the Election and as otherwise may be required by the Texas Election Code. Notice of the Election shall also be posted on the bulletin board used by the Village Council to post notices of its Village Council meetings no later than the 21st day before the Election and will remain posted through election day.

Section 11. Training of Election Officials. Pursuant to the Texas Election Code, an appropriate training program shall be held for all election officers as arranged or contracted by the Secretary to the Village Council.

Section 12. Authorization to Execute. The Mayor of the Village of Point Venture is authorized to execute and the Secretary of the Village Council is authorized to attest this Ordinance on behalf of the Village Council; and the Mayor is further authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 13. Effective Date. This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED \_\_\_\_\_, 2001.

\_\_\_\_\_  
Mayor of the Village of Point Venture, Texas

ATTEST:

\_\_\_\_\_  
Secretary, Point Venture Village Council

(SEAL)

**EXHIBIT A**

[Map showing Village boundaries as  
election precincts]

**EXHIBIT B**

<u>Precinct</u>	<u>Polling Place</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>
Village of Point Venture	Venture Room 555 Venture Blvd. S. Point Venture, TX	_____	Emmy McDaniel

**Exhibit C**

**Early Voting Times and Places  
Village of Point Venture Special Election  
May 5, 2001**

**Location of Main Early Voting Polling Place**

**Dates and Hours for Early Voting**

Village Hall  
549 Venture Blvd. S.

April 18-21, 2001	9:00am-12:00pm
April 23-27, 2001	9:00am-12:00pm
April 30-May 1, 2001	9:00am-12:00pm

**Any voter who is entitled to vote an early voting ballot by personal appearance  
may do so at the Main Early Voting Site.**