

**ORDINANCE NO. 2022-03**

**AN ORDINANCE OF THE CITY OF AZLE, TEXAS, CALLING FOR A GENERAL ELECTION FOR THE OFFICES OF CITY COUNCIL PLACE 1, CITY COUNCIL PLACE 2, AND CITY COUNCIL PLACE 5 TO BE HELD ON SATURDAY MAY 7, 2022; CALLING SPECIAL ELECTION FOR MAY 7, 2022 TO SUBMIT A PROPOSITION TO THE VOTERS ON RE-AUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (1/4%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; PROVIDING FOR THE ADMINISTRATION AND PROCEDURES FOR THE CONDUCT OF THE ELECTION; PROVIDING FOR PUBLICATION; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Azle, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the general election for City Council members of the City is required to be held on a uniform election date, at which time the voters will elect persons to fill the offices of City Council Place 1, City Council Place 2 and City Council Place 5; and

**WHEREAS**, pursuant to the Texas Tax Code, Chapter 327.001 et. seq, (the "Act"), the City of Azle adopted a one-fourth of one percent (1/4%) sales and use tax to provide for street maintenance; and

**WHEREAS**, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

**WHEREAS**, the Act provides that the City Council may call an election to reauthorize a previously adopted sales and use tax to provide for street maintenance by adopting an ordinance; and

**WHEREAS**, the Act provides that an election to reauthorize the sales and use tax shall be held in accordance with Chapter 321 of the Tax Code; and

**WHEREAS**, Section 321.403 of the Tax Code states that such an election must be held on the first succeeding uniform date for which sufficient time elapses for the holding of an election; and

**WHEREAS**, Section 41.001 of the Texas Election Code specifies that the May 7, 2022 is a uniform election date.

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

**SECTION 1.  
GENERAL ELECTION CALLED**

The City Council does hereby order a general election to elect the offices of City Council Place 1, City Council Place 2, and City Council Place 5 to serve from May 2022 until May 2024 or until their successors are duly elected and qualified. The election shall be conducted according to the laws of the State of Texas, and shall be held on Saturday, May 7, 2022 from 7:00 a.m. to 7:00 p.m.

**SECTION 2.  
Application for Place on Ballot for General Election**

Qualified persons may file as candidates for the General Election by filing applications in the office of the City Secretary located at 505 W. Main Street, Azle, Texas 76020, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning January 19, 2022, and ending February 18, 2022.

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**SECTION 3.  
SPECIAL ELECTIONS CALLED**

The City Council does hereby order a special election to be held on May 7, 2022 to submit to the qualified voters of the City a proposition to determine whether to reauthorize the one-fourth of one percent sales and use tax to provide revenue for maintenance and repair of municipal streets.

**SECTION 4.  
THE BALLOT; PROPOSITION**

The official ballot for the Special Election to reauthorize the sales and use tax shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote "FOR" or "AGAINST" the proposition which shall appear on the ballot substantially as follows:

**PROPOSITION**

<b>FOR</b>	<b>( )</b>	<b>"The reauthorization of the local sales and use tax in the City of Azle, Texas at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized."</b>
<b>AGAINST</b>	<b>( )</b>	

**SECTION 5.  
CONDUCT OF ELECTIONS**

Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111 shall conduct and shall be the clerk for early voting of said elections for the Tarrant County section of the City; and Parker County Elections Administrator, 1112 Santa Fe, Weatherford, Texas 76086 shall conduct and shall be the clerk for early voting for the Parker County section of the City. The City Secretary of the City of Azle, 505 W. Main St. Azle, Texas 76020 shall serve as deputy early voting clerk for both counties along with designees from each county. The elections shall be conducted according to the Texas Election Code and the Texas Constitution.

**SECTION 6.  
EARLY VOTING**

Early voting both by personal appearance and by mail, will be by the use of Digital Reading Equipment (DRE) voting system in accordance with the Texas Election Code as amended. Early Voting by personal appearance will be conducted at the locations *tentatively* designated by the Tarrant and Parker County Elections Administration offices as attached to this Ordinance as **Exhibits "A" and "B"** respectively; and, the dates and times are included in said exhibits.

Applications for early voting by mail may be delivered to the Tarrant County Elections Administrator at the following address: Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas 76111, FAX: 817-831-6118, email: [votebymail@tarrantcounty.com](mailto:votebymail@tarrantcounty.com), not later than the close of business on April 26, 2022. Early voting by ballots shall be mailed to the Tarrant County Elections Administrator at the same address.

Applications for early voting by mail may be delivered to the Parker County Early Voting Clerk at the following address: Early Voting Clerk, 1112 Santa Fe Drive, Weatherford, TX 76086 and by email: elections@parkercountytexas.com or the Tarrant County Early Voting Clerk not later than the close of business on April 26, 2022. Early voting by ballots shall be mailed to the Early Voting Clerk at the same address.

## **SECTION 7. ELECTION DAY LOCATION AND HOURS**

On May 7, 2022, Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m. and shall be held at the following locations:

### **PARKER COUNTY**

City Hall – Community Room  
505 W. Main Street  
Azle, Texas 76020

### **TARRANT COUNTY**

Hornet Academy  
1010 Boyd Road  
Azle, Texas 76020

## **SECTION 8. ADMINISTRATION AND PROCEDURES OF THE ELECTION**

The Mayor or the City Manager of the City are hereby authorized and directed to enter into a joint election agreement for said elections with Tarrant County and Parker County, Texas and to execute such election agreement for said elections. Such agreement will provide for the type of DRE to be used for early voting and on election day, the compensation for election judges and clerks, and will include the locations for and appointment of Central Counting Station Managers. For the Tarrant County side of the City; Central Counting Station Manager Heider Garcia, Tabulation Supervisor Steven Vickers. For the Parker County side of the City; Central Counting Station Crickett Miller Election Administrator, Tabulation Supervisor Gina Osborne. Both County Elections Administrators shall process the Early Voting Ballots, and other positions, appointments or requirements as required by law, and any, other requirements or appointments necessary for the conduct of said elections for and on behalf of the City. All elections materials and proceedings shall be printed in both English and Spanish.

## **SECTION 9. PERSONS QUALIFIED TO VOTE**

All residents who are qualified electors of the City shall be permitted to vote at said elections. The elections shall be held and conducted in accordance with the provisions of the Texas Election Code as may be required by law.

## **SECTION 10. NOTICE OF ELECTIONS**

**(a) Notice of General and Special Election.** A substantial copy of this ordinance shall serve as proper notice of the General and Special elections. Said notice, including a Spanish translation thereof, shall be posted not later than the twenty-first (21st) day before the election on the bulletin board used for posting notices of meetings of the city council and shall be published at least once, not early than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and of general circulation in the City of Azle.

**SECTION 11.  
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

**SECTION 12.  
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

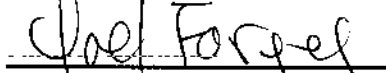
**PASSED AND APPROVED** on First and Final Reading this the 1<sup>ST</sup> day of February 2022, at a regular meeting of the City Council of the City of Azle, Texas, by a vote of 5 ayes, 0 nays and 0 abstentions.

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**Alan Brundrett, Mayor**


**ATTEST:**

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**Yael Forgey TRMC, CMC  
City Secretary**

**APPROVED AS TO FORM AND LEGALITY**

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**Cara Leahy White, City Attorney**