

ORDINANCE NO. 1952

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING ORDINANCE NO. 1936, DATED JUNE 18, 2019, CALLING A SALES AND USE TAX ELECTION TO BE HELD IN THE CITY OF KELLER, TEXAS, ON NOVEMBER 5, 2019, TO SUBMIT A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF A SALES AND USE TAX FOR STREET MAINTENANCE OF ONE-FOURTH OF ONE PERCENT; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND PROVIDING FOR OTHER MATTERS RELATED THERETO; PROVIDING A CUMULATIVE CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Keller, Texas approved Ordinance No. 1936, dated June 18, 2019, for the purpose of calling a Sales and Use Tax Election to be held in the City of Keller, Texas, on November 5, 2019, to submit a proposition on the question of the reauthorization of a sales and use tax for street maintenance of one-fourth of one percent; making provisions for the conduct of the election and providing for other matters related thereto.

WHEREAS, Tarrant County Elections has hereby advised the City of Keller that the official list of polling locations for election day and early voting for said election have been finalized and are attached hereto as Exhibit "A" and Exhibit "B".

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

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, Ordinance No. 1936, dated June 18, 2019, is hereby amended by deleting Section 4 of said Ordinance in its entirety and adding a new Section 4, to read as follows:

The City shall utilize Tarrant County's election precincts. The Election Day polling locations, for the November 5, 2019 Sales and Use Tax Election, is attached hereto as Exhibit "A", pursuant to a Joint

Election Agreement and Contract for Election Services with Tarrant County. The presiding judges and alternate judges will be appointed by Tarrant County for the Election. Each presiding judge shall appoint not less than two (2) qualified election clerks to serve and assist in the respective precincts to conduct the Election; provided, however, that if the presiding judge actually serves as expected, the alternate presiding judge shall be one of such clerks. The voting places shall be open from 7:00 a.m. to 7:00 p.m. on the date of the Election.

Section 3: THAT, early voting by personal appearance shall be conducted at the Main Early Voting location - Tarrant County Election Center, 2700 Premier Street, Fort Worth, Texas 76111, at Keller Town Hall, 1100 Bear Creek Parkway, Keller, Texas, 76248, and at other early voting polling locations, attached hereto as Exhibit "B", pursuant to the Joint Election Agreement and Contract for Election Services with Tarrant County.

Section 4: THAT, this Ordinance shall be cumulative of all provisions of ordinances of the City of Keller, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

Section 5: THAT, it is hereby declared to be the intent of the City of Keller, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance 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, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 6: THAT, the City Secretary of the City of Keller, Texas is hereby directed to publish the caption and

effective date of this Ordinance as required by the City Charter and Section 52.013 of the Texas Local Government Code.

Section 7: THAT, the City Secretary of the City of Keller is hereby directed to engross and enroll this Ordinance by copying the exact caption and effective date in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

Section 8: THAT, this Ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

Section 9: THAT, all provisions of Ordinance No. 1936, dated June 18, 2019, not hereby amended shall remain in full force and effect.

AND IT IS SO ORDAINED.

Passed and approved by a vote of \_ to \_ on this the 15th day of October, 2019.

CITY OF KELLER, TEXAS

By: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney