

ORDINANCE CALLING SPECIAL ELECTION FOR ADOPTION OF
LOCAL SALES TAX WHERE PAPER BALLOTS ARE USED

NO. 5

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF Wallis, TEXAS, ON THE QUESTION OF THE ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE CITY; DESIGNATING THE DAY OF THE ELECTION AND THE POLLING PLACE(S); APPOINTING ELECTION OFFICIALS THEREFOR; PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING FORM OF BALLOT; PROVIDING FOR NOTICE OF ELECTION; CONTAINING OTHER PROVISIONS RELATING TO SAID ELECTION; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62) authorizes the governing body of any city, town or village in Texas to call an election for the purpose of adopting a local sales and use tax within such city, town or village; Now Therefore,

BE IT ORDAINED BY THE Board of Aldermen of the City of Wallis (City) (Town) (Village) (Board of Aldermen)

OF Austin County:

Section 1. That a special election shall be held in and throughout the City (Town) (Village) of Wallis, Texas, on the 14th day of

June, 1972, at which election there shall be submitted to the resident qualified voters of said City of Wallis, (City) (Town) (Village), for

their action thereupon, the following propositions:

"FOR adoption of a one percent (1%) local sales and use tax within the city."

"AGAINST adoption of a one percent (1%) local sales and use tax within the city."

~~(NOTE: IF MORE THAN ONE POLLING PLACE WILL BE GIVEN IN THE CITY, THIS FOLLOWING SECTION 2 MAY BE USED)~~

Section 2. That said election shall be held at one polling place for all qualified voters of said City of Wallis (Village) and the polling place and presiding officers for said election shall be, to-wit:

Matteo Valentin Juares
Atty

Polling Place

Presiding Officers

John H. Sprack

Presiding Judge

Bennie Gray

Alternate Presiding Judge

The Presiding Judge at such election shall appoint (Not less than 2

clerks.

Section 3. That said election shall be held in accordance with the Constitution and laws of the State of Texas, and all duly qualified resident electors of the City of Wallis of Austin County, Texas shall be qualified to vote.

Section 4. That the ballots of said election shall conform to the requirements of Section 2, Subsection G, of Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62), and to the requirements of Chapter 6 of the Election Code of the State of Texas, as amended, and the language to be printed thereon shall include the following:

OFFICIAL BALLOT

INSTRUCTIONS: Place an "X" in the square beside the statement indicating the way you wish to vote.

FOR adoption of a one percent (1%) local sales and use tax within the city.

AGAINST adoption of a one percent (1%) local sales and use tax within the city.

Section 5. That election judges and clerks are directed to comply with Article 6.06, Election Code of the State of Texas, as amended (Section 2 of House Bill 181, Acts 1967, 60th Legislature, Regular Session, Chapter 452, Pages 1026, 1028), which provides that a square shall be placed beside each proposition in which the voter is instructed to place an "X" or other clear mark to indicate the way he wishes to vote; but which also provides that failure of a voter to mark his ballot in strict conformity with the directions on the ballot shall be counted if the intention of the voter is clearly ascertainable, except where the law expressly prohibits the counting of the ballot. It is specifically provided that the election officers shall not refuse to count a ballot because of the voter's having marked his ballot by scratching out the statement of proposition for which he does not wish to vote.

Section 6. That notice of the election hereby ordered and called shall be given: (a) by publication on the same day of two successive weeks in a newspaper having general circulation within said City of Wallis the date of the first publication to be at least (City) twenty-one (21) days prior to the date set herein for such election; and (b) by posting of such notice at the polling place for such election (for such each election Precinct the election in) (in each of the election precincts of) the City of Wallis not less than twenty (20) days prior to the date (City)

set herein for such election. It is hereby found and determined that there is no newspaper of general circulation which is published with- in said City of Wallis; and it is hereby found and determined that the Sealy News, published in Sealy, Texas, is a news- paper having general circulation within the City of Wallis of (City)

Austin County, Texas.

PASSED AND APPROVED, this 14th day of May, 1923.

Jerry J. Slava
Mayor

ATTEST:

J. M. Mearns
(Secretary) (Clerk)

RESOLUTION AND ORDER CANVASSING RETURNS AND
DECLARING RESULTS OF SPECIAL ELECTION HELD IN
THE (CITY) ~~(TOWN)~~ (VILLAGE) OF
WALLIS

WALLIS, TEXAS ON 16th Day of June
1973, ON THE QUESTION OF ADOPTION OF A ONE
PERCENT (1%) LOCAL SALES AND USE TAX WITHIN
SAID (CITY) ~~(TOWN)~~ (VILLAGE) OF WALLIS, TEXAS

WHEREAS, there was held in the CITY of
(City) (Town) (Village)
WALLIS, Texas, on the 16th day of June, 1973,
an election at which there were submitted to the duly qualified
resident electors of said CITY, for their action
(City) (Town) (Village),
thereupon, the following propositions:

FOR adoption of a one percent (1%) local sales and use tax
within the city.

AGAINST adoption of a one percent (1%) local sales and use tax
within the city.

and

WHEREAS, there were cast at said election 72 votes, of
which number there were cast:

FOR adoption of a one percent (1%) local sales and 67 votes
use tax within the city.

AGAINST adoption of a one percent (1%) local sales 5 votes
and use tax within the city.

Majority FOR adoption of a one percent (1%) local 62 votes
sales and use tax within the city.

as shown in the official election returns heretofore lawfully sub-

mitted to the BOARD OF ALDERMEN
(City Council) (Board of Aldermen) (Board of Commissioners)

of the CITY of WALLIS, Texas, and filed with
(City) (Town) (Village)

the CITY SECRETARY of said CITY; and
(City Secretary) (City Clerk) (City) (Town) (Village)

WHEREAS, only duly qualified resident electors of said CITY
(City)

(Town) (Village) voted at said election, and said election was called

and held in strict conformity with the laws of the State of Texas:
now therefore

BE IT RESOLVED AND ORDERED BY THE BOARD OF ALDERMEN
(CITY COUNCIL) (BOARD OF ALDERMEN)
OF THE WALLIS,
(BOARD OF COMMISSIONERS) (CITY) (TOWN) (VILLAGE),

TEXAS:


Section 1. That the election described in the preamble to this


resolution and order was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that only duly qualified resident electors of the CITY (City) (Town) (Village) of WALLIS, Texas voted at said election, that due returns of said election have been made by the proper officers; that said election resulted favorably to the proposition: FOR ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE CITY: and that a majority of the qualified voters of said CITY (City) (Town) (Village) of WALLIS, Texas, voting at said election, have voted in favor of approving and adopting a One Percent (1%) Local Sales and Use Tax within said CITY (City) (Town) (Village).

Section 2. That the BOARD OF ALDERMEN (City Council) (Board of Aldermen) (Board of Commissioners) of the CITY (City) (Town) (Village) of WALLIS, Texas, hereby officially and affirmatively declares that said One Percent (1%) Local Sales and Use Tax within said CITY (City) (Town) (Village) has been properly and lawfully adopted in accordance with the provisions of Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62).

Section 3. That the City WALLIS SEC'Y. (Secretary) (Clerk) is hereby authorized and directed to transmit to the Comptroller of Public Accounts of the State of Texas, in Austin, Texas, by United States Registered Mail, or by United States Certified Mail, a certified copy of this Resolution and Order Canvassing the Returns of Special Election, under the official seal of the CITY (City) (Town) (Village) of WALLIS, Texas, showing the approval of said Local Sales and Use Tax by the qualified voters of said CITY (City) (Town) (Village), together with a map of said CITY (City) (Town) (Village), clearly showing the boundaries thereof as of the date of said election.

PASSED AND APPROVED, this 18th day of June, 1973.

ATTEST:

(City Secretary) (City Clerk)


Mayor of WALLIS, Texas.

(CITY CORPORATE SEAL)

(LETTER OF TRANSMITTAL)

WALLIS, Texas
MAY 19 1973

Honorable Robert S. Calvert
Comptroller of Public Accounts
The State of Texas
Capitol Station
Austin, Texas 78711

Dear Mr. Calvert:

A special election was held in the (City) ~~(Town/Village)~~ of WALLIS, Texas on the 16th day of JUNE, 1973, on the question of the adoption of a One Percent (1%) Local Sales and Use Tax within said (City) ~~(Town/Village)~~ of Wallis, Texas.

Pursuant to the requirements of Subsection I, of Section 2, Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62), I enclose the following documents:

- (1) A true copy of the Resolution and Order Canvassing Returns and Declaring Results of Special Election held in the (City) ~~(Town/Village)~~ of WALLIS, Texas on the question of adoption of a One Percent (1%) Local Sales and Use Tax within said (City) ~~(Town/Village)~~, together with my Certificate attached thereto, under my hand and the official seal of said (City) ~~(Town/Village)~~, duly certifying that said Resolution and Order is a true and correct copy of the Resolution and Order duly passed at a meeting of the ~~(City/Town/Village)~~ (Board of Aldermen) ~~(Mayor/City Secretary)~~ of said (City) ~~(Town/Village)~~ on the 18th day of JUNE, 1973.
- (2) A map of the (City) ~~(Town/Village)~~ of WALLIS, Texas, clearly showing the boundaries thereof as of the date of said election, to-wit, the 16th day of JUNE, 1973.

Sincerely yours,



(City Secretary) (City Clerk) of

(City) OF WALLIS, Texas
(City) (Town) (Village)

Encl.

(United States Registered Mail)

or

(United States Certified Mail)

ELECTION RETURNS

THE STATE OF TEXAS

COUNTY OF AUSTIN
CITY OF WALLIS
(City) (Town) (Village)

TO THE BOARD OF ALDERMEN
(City Council) (Board of Aldermen) (Board of Commissioners)
OF THE CITY OF WALLIS, TEXAS:
(City) (Town) (Village)

We, the undersigned officers appointed to hold an election
on the 16th day of JUNE, 19 73, at FIREMEN BLDG,

(NOTE: IF THE CITY HAS MORE THAN ONE POLLING PLACE, AT THIS POINT
INSERT THE FOLLOWING:) in Precinct No. _____,

within the CITY of WALLIS, Texas, on the
(City) (Town) (Village)
question of the adoption of a One Percent (1%) Local Sales and Use

Tax within said CITY, do hereby certify that
(City) (Town) (Village)

there were cast at SAID ELECTION FIREMEN BLDG 72
(said election) (this polling place)
votes, of which number there were cast the following:

FOR adoption of a one percent (1%) local
sales and use tax within the city. 67 votes

AGAINST adoption of a one percent (1%)
local sales and use tax within the city. 5 votes

Majority FOR adoption of a one percent
(FOR) (AGAINST)
(1%) local sales and use tax within
the city. 62 votes

We further certify that only duly qualified resident
electors of said CITY voted at said election.
(City) (Town) (Village)

We enclose herewith poll lists and other papers required
by law.

WITNESS OUR HANDS, this 16th day of JUNE, 19 73.

John H. Spedden
Presiding Judge
Bennie C. Mink
Alternate Presiding Judge
Mrs. August D. Zurek
Clerk
Bohumil Schiller
Clerk

AFFIDAVIT OF POSTING NOTICES

OF SPECIAL ELECTION

THE STATE OF TEXAS

COUNTY OF AUSTIN

BEFORE ME, the undersigned authority, on this day personally appeared W.I. WASICK, CITY SECRETARY of the (City Secretary) (City Clerk)

CITY of WALLIS, Texas, who, being by me (City) (Town) (Village) duly sworn, upon oath deposes and says:

That on the 15th day of MAY, 1973, (~~is~~) he caused to be posted a true and correct copy of the attached and foregoing NOTICE OF SPECIAL ELECTION AND ORDINANCE CALLING SPECIAL ELECTION on the question of the adoption of a One Percent (1%) Local Sales and Use Tax within said

CITY (City) (Town) (Village)

(NOTE: FOR CITIES WITH MORE THAN ONE POLLING PLACE, AT THIS POINT INSERT THE FOLLOWING: at the following polling places within each of the election precincts of said

CITY (City) (Town) (Village), to-wit:

Precinct Polling Place

No. 1 Wallis Volunteer Firemen-Bldg.

No. _____)

(NOTE: FOR CITIES WITH ONLY ONE POLLING PLACE, AT THIS POINT

INSERT THE FOLLOWING: at the following polling place within said

CITY (City) (Town) (Village), to wit:

~~WALLIS VOLUNTEER FIREMEN BLDG.~~

and that said notice(s) WAS (was-were) posted in a conspicuous public place for at least twenty days prior to the date of said election.

W.I. Wasick

SWORN TO AND SUBSCRIBED BEFORE ME this 17th day of MAY, 1973.

Notary Public

Notary Public in and for JUSTIN County, Texas

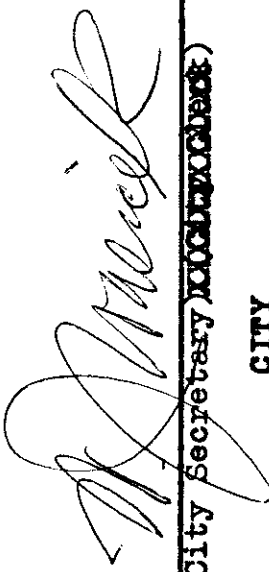
(NOTARY SEAL)

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF ~~WALKER~~ AUSTIN
(CITY) (TOWN) (VILLAGE) OF WALLIS

I, the undersigned, CITY SECRETARY
(City Secretary) (City Clerk)
of the CITY (Town) (Village)
of WALLIS, Texas, do hereby
certify that the attached and foregoing is a true and correct
copy of a resolution and order adopted by the CITY BOARD
(City Council)
of ALDERMEN of said CITY
(Board of Aldermen) (Board of Commissioners) (City)
at a meeting held on the 14th day of MAY
(Town) (Village)
19 73, which resolution and order is of record in the official
minutes of said BOARD OF ALDERMEN
(City Council) (Board of Aldermen)
(Board of Commissioners), Volume 1, Page 5 et seq.

GIVEN UNDER MY HAND AND THE OFFICIAL SEAL OF THE
CITY (Town) (Village) OF WALLIS, TEXAS, this 18th day of
MAY, 19 73.


(City Secretary),
CITY (Town) (Village) of
WALLIS, Texas

(CITY CORPORATE SEAL)

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF AUSTIN

BEFORE ME, the undersigned authority, on this day personally appeared Wilma Petrussek, Publisher of The Sealy News, who, being be me duly sworn, upon oath deposes and says:

That the attached NOTICE OF SPECIAL ELECTION was published in the The Sealy News, a newspaper published in the English language, (NOTE: IF THE NEWSPAPER IS PUBLISHED IN THE CITY HOLDING THE ELECTION, AT THIS POINT INSERT THE FOLLOWING: of general circulation within and published within the Sealy of (City) (Town) (Village) (City) (Town) (Village) (NOTE: IF THE NEWSPAPER IS NOT PUBLISHED IN THE CITY HOLDING THE ELECTION, AT THIS POINT INSERT THE FOLLOWING: published in Sealy, Texas, and having general circulation within the Sealy of Austin Sealy, Texas,) in the following issues:

17th, May, 19 73
(Day of the week) (Month and day)

24th, May, 19 73
(Day of the week) (Month and day)

and that the attached newspaper clipping is a true and correct copy of said published notice.

Wilma Petrussek

SWORN TO AND SUBSCRIBED BEFORE ME, this the 25th day of

May, 19 73.

Caroleyn Spuler
(Notary Public in and for Austin County, Texas)



(NOTARY SEAL)