

**Jean Birmingham Council
Chambers, City Hall**
401 South Alamo
Marshall, TX 75671
903-935-4421



Members
Amy Ware, District 4 - Mayor
Risa Jordan-Anderson, District 1
Leo Morris, District 2
Dathaniel Campbell, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

**PLEASE SILENCE ALL DEVICES
SPECIAL-CALLED CITY COUNCIL MEETING**

**May 13, 2024
3:00 PM**

1. Call to Order and Roll Call

2. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

3. Canvass Election

- A. Consider approval of an ordinance canvassing the results of the special election of a proposition on the question of the reauthorization of the local sales and use tax in the City of Marshall at the rate of 1/8th of one percent to continue providing revenue for the maintenance and repair of municipal streets. (City Attorney)

4. Adjournment

May 9, 2024
8:30 PM
N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



TO: City Council
DATE: May 13, 2024
ITEM #: 3.A
SUBJECT: Consider approval of an ordinance canvassing the results of the special election of a proposition on the question of the reauthorization of the local sales and use tax in the City of Marshall at the rate of 1/8th of one percent to continue providing revenue for the maintenance and repair of municipal streets. (City Attorney)

Recommendation for Action: Requesting approval of an ordinance canvassing the results of the special election of a proposition on the question of the reauthorization of the local sales and use tax in the City of Marshall at the rate of 1/8th of one percent to continue providing revenue for the maintenance and repair of municipal streets.

Executive Summary: Attached is an ordinance canvassing the results of the special election for the proposition regarding reauthorization of a portion of the local sales and use tax to continue providing revenue for the maintenance and repair of municipal streets.

Budget Cost: N/A

Staff Contact: Scott Rectenwald, City Attorney

Attachments: 1. O-24-10 Canvassing Returns and Declaring Results of the Special City Election Sales Tax

ORDINANCE NO. O -24-10

AN ORDINANCE CANVASSING RETURNS AND DECLARING RESULTS OF THE SPECIAL CITY ELECTION OF A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF MARSHALL AT THE RATE OF ONE-EIGHTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

STATE OF TEXAS
COUNTY OF HARRISON
CITY OF MARSHALL

WHEREAS, under and by virtue of an Ordinance passed and approved, and adopted by the City Council on January 25, 2024 and thereafter published, an election was held in the City on May 4, 2024 for the purpose of submitting a proposition to determine whether the City Council shall be authorized to levy and collect a sales and use tax within the City under the provisions of Chapter 327, as amended, Texas Tax Code to provide revenue for the maintenance and repair of municipal streets; and

WHEREAS, the City Council did direct that said election be held and conducted and the returns thereof made in accordance with the Texas Tax Code, the Texas Election Code, and the Charter of the City of Marshall; and,

WHEREAS, the special election was held in said City on the 4th day of May 2024 for the purpose of submitting to the qualified voters the following proposition:

Proposition A: *The reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8) of one (1) 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.*

_____ YES — *For the proposition.*

_____ NO — *Against the proposition.*

WHEREAS, upon consideration of the returns of said election, it appears that the same were in all respects legally held, that notice was properly given, and that the returns thereof were duly and legally made; and it further appearing that there were cast at said special election for Proposition A a total (which includes votes cast by early voting) of 196 which were cast as follows:

FOR	(early votes – 76)	Total – 165
AGAINST	(early votes – 17)	<u>Total – 31</u>
PROPOSITION PASSES BY:		134

AND it further appears to the City Council after a canvass of said ballots that, a majority of the qualified voters of said City voting at said election were in favor of Proposition A.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. That said special election was duly called; that notice of said election was given in accordance with law; that said election was held in accordance with law; that the returns were duly and legally made; and that there were cast at said election valid and legal votes.

Section 3. The returns as set forth herein are ordered and declared to be official; that Proposition A reauthorizing a one-eighth (1/8) of one (1) percent sales and use tax for street maintenance is hereby recognized and declared to have passed.

Section 4. That the meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

PASSED, APPROVED, AND ADOPTED this 13th day of May, 2024.

AYES: _____
NOES: _____
ABSTAINED: _____

MARSHALL

PRESIDING OFFICER OF CANVASSING AUTHORITY
MAYOR OF THE COUNCIL OF THE CITY OF

ATTEST:

CITY SECRETARY