



ORDINANCE NO. 23-0815-05

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WHITEHOUSE, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 7, 2023 FOR THE PURPOSE OF VOTER CONSIDERATION FOR AN INCREASE OF THE LOCAL SALES AND USE TAX IN THE CITY OF WHITEHOUSE DEDICATED FOR THE BENEFIT OF A SECTION 4B ECONOMIC DEVELOPMENT CORPORATION FROM ONE EIGHTH OF ONE PERCENT (1/8%) TO ONE FOURTH OF ONE PERCENT (1/4%) AND REPEALING THE SALES AND USE TAX DESIGNATED TO REDUCE PROPERTY TAX AND ALLOCATING ONE FOURTH OF ONE PERCENT (1/4%) TO GENERAL REVENUE AND DESIGNATING THE PLACE OF HOLDING SUCH ELECTION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Whitehouse is a Home Rule Municipality located in Smith County, created in accordance with statutes of the State of Texas; and

WHEREAS, in accordance with the requirements of Chapter 321 of the Texas Tax Code, the combined rate of all sales and use taxes imposed by the municipality and other political subdivisions of this state having territory in the municipality will not exceed two percent (2%); and

WHEREAS, Section 41.001(a), Election Code, provides that, except as otherwise provided for, each general or special election in this state shall be held on the first Saturday in May or the first Tuesday after the first Monday in November; and

WHEREAS, all constitutional, statutory and legal prerequisites for the passage of this Ordinance have been met, including, but not limited to, the Open Meetings Act; and

WHEREAS, the Council hereby finds and determines that it is in the best interest of the citizens of Whitehouse to hold this election on November 7, 2023.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WHITEHOUSE, TEXAS, THAT:

SECTION I. INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION II. ELECTION ORDERED

The City of Whitehouse hereby orders that a Special Election be held on November 7, 2023 for the purposes of increasing the local sales and use tax dedicated for the benefit of a Section 4B Economic Development Corporation from one eighth of one percent (1/8%) to one fourth of one percent (1/4%) and repealing the sales and use tax designated to reduce property tax and allocating one fourth of one percent (1/4%) to General Revenue.

SECTION III. BALLOT LANGUAGE

The ballots for said election shall be prepared in accordance with the applicable provisions of the Texas Election Code so that voters may cast their ballots either **“FOR”** or **“AGAINST”** the following proposition which shall appear on the ballot in substantially the following form:

THE INCREASE OF THE LOCAL SALES AND USE TAX IN THE CITY OF WHITEHOUSE DEDICATED FOR THE BENEFIT OF A SECTION 4B ECONOMIC DEVELOPMENT CORPORATION FROM ONE EIGHTH (1/8) OF ONE PERCENT TO ONE FOURTH (1/4) OF ONE PERCENT AND REPEALING THE SALES AND USE TAX DESIGNATED TO REDUCE PROPERTY TAX AND ALLOCATING ONE FOURTH (1/4) OF ONE PERCENT TO GENERAL REVENUE

EL AUMENTO DEL IMPUESTO LOCAL SOBRE LAS VENTAS Y EL USO EN LA CIUDAD DE WHITEHOUSE DEDICADO EN BENEFICIO DE UNA CORPORACIÓN DE DESARROLLO ECONÓMICO DE LA SECCIÓN 4B DE UN OCTAVO (1/8) DEL UNO POR CIENTO A UN CUARTO (1/4) DEL UNO POR CIENTO Y DEROGAR EL IMPUESTO A LAS VENTAS Y EL USO DESIGNADO PARA REDUCIR EL IMPUESTO A LA PROPIEDAD Y ASIGNAR UN CUARTO (1/4) DEL UNO POR CIENTO A LOS INGRESOS GENERALES

SECTION IV. PRECINCTS

The election precinct for said election shall be the regular precinct of Smith County to the extent that they are within the corporate limits of the City of Whitehouse.

SECTION V. ADMINISTRATION OF ELECTION

The Special Election shall be conducted in accordance with the provisions of the Texas Election Code. The City is hereby authorized and directed to execute such election agreement for the election for and on behalf of the City, with all expenses of the joint election borne as outlined in the election agreement. The City of Whitehouse will contract with Smith County for a joint election.

SECTION VI. VOTING SYSTEM

Pursuant to a Joint Election Agreement, Smith County shall be responsible for a voting system that complies with law. Smith County shall be responsible for the preparation of the official ballots for the election, and they shall conform to the requirements of the Code, and in so doing shall permit the voter to vote for three (3) Council Members for two (2) year terms each. No voter shall vote for more than three (3) Council Members for two (2) year terms each.

SECTION VII. EARLY VOTING

(a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk for the purposes of conducting said election:

Smith County Elections Administrator
Smith County Elections
302 E. Ferguson
Tyler, TX 75702
903-590-4777

sselections@smith-county.com

<https://www.smith-county.com/government/departments/elections/current-election-information>

(b) Presiding Judge of the Early Voting Ballot Board to be determined by:

Smith County Elections Administrator

Smith County Elections

302 E. Ferguson

Tyler, TX 75702

903-590-4777

sselections@smith-county.com

<https://www.smith-county.com/government/departments/elections/current-election-information>

(c) Any permanent county employee serving under the Elections Administrator shall serve as deputy early voting clerks.

(d) Early voting by personal appearance dates, hours and locations are attached as Exhibit A

SECTION VIII. NOTICE AND PUBLICATION

That this ordinance, signed by the COUNCIL and attested by the City Secretary, shall constitute the ordinance of the COUNCIL calling, and ordering said election, and that such notice shall be published by the City Secretary in accordance to Texas Election Code and the City of Whitehouse Charter.

SECTION IX. POLLING PLACES

That the POLLING PLACES for this election except insofar as they may be changed by the CITY COUNCIL is attached as Exhibit A.

SECTION X. BALLOTS BY MAIL

Applications for Ballots By Mail (ABBM) and Federal Post Card Applications (FPCAs) must be received not later than 5:00 p.m. on October 27, 2023. Applications shall be mailed to:

Smith County Elections Administrator

Smith County Elections

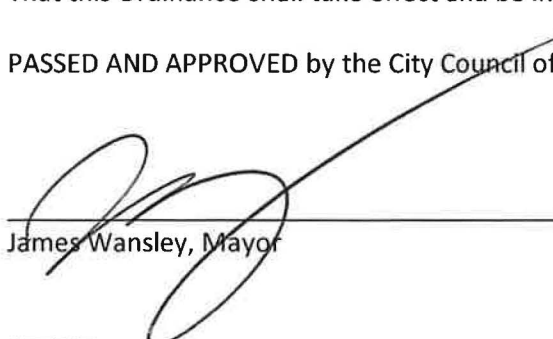
302 E. Ferguson

Tyler, TX 75702

Section XI. EFFECTIVE

That this Ordinance shall take effect and be in full force and effect from and after its passage.

PASSED AND APPROVED by the City Council of the City of Whitehouse, Texas, on this 15th day of August 2023.


James Wansley, Mayor

ATTEST:


Susan Hargis, City Secretary

NOVEMBER 7, 2023
GENERAL ELECTION & SPECIAL ELECTION

EARLY VOTING POLLING PLACES

LOCATIONS

Heritage Building: 1900 Bellwood Road, Tyler, TX 75701
Lindale Masonic Lodge: 200 W. Margaret Street, Lindale, TX 75771
Main Location The HUB: 304 E. Ferguson Street, Tyler, TX 75702
Noonday Community Center: 16662 CR 196, Tyler, TX 75703
Whitehouse Methodist Church: 405 W. Main Street, Whitehouse, TX 75791

Dates and Hours

Monday - Friday, October 23-27 from 8:00 a.m. – 5:00 p.m.
Saturday, October 28 from 9:00 a.m. – 2:00 p.m.
Sunday, October 29 from 12:00 p.m. – 4:00 p.m.
Monday-Wednesday, October 30-November 1 from 8:00 a.m. - 5:00 p.m.
Thursday-Friday, November 2-November 3 from 7:00 a.m. - 7:00 p.m.

ELECTION DAY POLLING PLACES

Tuesday, November 7, 2023 from 7:00 a.m. - 7:00 p.m.

Arp First Baptist Church: 304 W. Front St., Arp, TX 75750
Bullard Southern Baptist Church: 716 N. Houston St., Bullard, TX 75757
Cameron J Jarvis Library: 102 S. Georgia St., Troup, TX 75789
Chapel Hill Fire Department: 13801 CR 220, Tyler, TX 75707
First Christian Church: Christian Life Center: 4202 S Broadway Ave, Tyler, TX 75701
Flint Baptist Church: 11131 FM 2868 W, Flint, TX 75762
Glass Recreation Center: 501 W. 32nd St., Tyler, TX 75702
Heritage Building: 1900 Bellwood Rd., Tyler, TX 75701
Hideaway Members Svcs Building: 101 Hide-A-Way Ln, Hideaway, TX 75771
Main Location The HUB, 304 E. Ferguson St., Tyler, TX 75702
Lindale Masonic Lodge: 200 W. Margaret St., Lindale, TX 75771
Noonday Community Center: 16662 CR 196, Tyler, TX 75703
Old Tyler Airport: 150 Airport Dr., Tyler, TX 75704
Starrville Church of the Living God: 18396 Hwy 271, Winona, TX 75792
St. Louis Baptist Church: 4000 Frankston Hwy., Tyler, TX 75701
St. Violet Baptist Church: 14129 FM 2767, Tyler, TX 75708
Three Lakes Middle: 2445 Three Lakes Pkwy., Tyler, TX 75703
Whitehouse Methodist Church: 405 W. Main St., Whitehouse, TX 75791