

RESOLUTION NO. 08-13-21-1

A RESOLUTION ORDERING A SPECIAL MUNICIPAL ELECTION OF THE CITY OF AMARILLO TO BE CONDUCTED ON THE 2ND DAY OF NOVEMBER 2021 IN THE CITY OF AMARILLO, TEXAS; REGARDING THE ADOPTION OF AN AD VALOREM TAX RATE; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. Pursuant to Section 26.07 of the Texas Tax Code the governing body of a special taxing unit or a municipality with a population of 30,000 or more adopts a tax rate that exceeds the taxing unit's voter-approval tax rate the registered voters of the taxing unit at an election held for that purpose must determine whether to approve the adopted tax rate.

SECTION 2. A special municipal election shall be held on November 2nd, 2021 for a proposition to read as follows:

PROPOSITION A

"Approving the ad valorem tax rate of \$ 0.48404 per \$100 valuation in the City of Amarillo for the current year, a rate that is \$0.0407 higher per \$100 valuation than the voter-approval tax rate of the City of Amarillo, for the purpose of parks, athletic fields, trails, playground equipment and other parks facility and maintenance needs, 6 new police department personnel and the associated vehicles and equipment, additional police and fire equipment, street pothole repairs and street resurfacing, additional Amarillo Emergency Communications Center pay adjustments, and a 1% increase in compensation for police, fire and City employees. Last year, the ad valorem tax rate in the City of Amarillo was \$0.39681 per \$100 valuation."

FOR

AGAINST

SECTION 3. Combined Elections. That a combined or joint election is authorized with such other entity(ies) in Potter or Randall counties as may conduct an election on November 2nd, pursuant to the terms and conditions of an intergovernmental cooperation agreement and the City Manager is authorized to execute and perform said agreements.

SECTION 4. Contract. The City of Amarillo shall contract with the respective election officers of Potter County and Randall County to conduct early voting, give notice of the election,

prepare the official ballot, appoint election officials and persons to work in the Central Counting Station for ballots cast in the City election within each respective county.

SECTION 5. Voting Places. Said election shall be held in each of the counties using vote centers as adopted by the same as shown in that attached Exhibits. Moreover, because the City will contract with the respective counties for the conduct of the City's election, the City Council hereby accepts and approves of any and all changes made by either County to stated polling places or vote centers, subsequent to the passage of this Resolution, to the extent that such change(s) by a County is lawful and timely authorized in the manner provided by the Texas Election Code.

SECTION 6. Ballots. Paper ballots shall be used for Voting by Mail, military and overseas ballots and for voting Limited Ballots. The Early Voting Ballot Board will qualify the paper ballots for tabulation as required by Texas Election Code. Counting for both paper ballots and ballots cast on Direct Recording Devices will be tabulated using the computer tabulation systems adopted by the contracting counties. An Early Voting Ballot Board shall be appointed by each county to count and sort the early votes. Electronic counting devices may be used for voting and counting of said election. If a contracting County is capable and desires to use an electronic or optical scan ballot for mail ballots and/or early voting by personal appearance then the use of such is also authorized as acceptable for the City election.

SECTION 7. Early Voting. Early voting shall be conducted at and using vote centers as per any joint election agreement. Early voting shall be conducted using vote centers as shown in Exhibit B on weekdays beginning October 18, 2021 and ending October 29, 2021 at the times and locations listed therein. Moreover, because the City will contract with the respective counties for the conduct of the City's election, the City Council hereby accepts and approves the use of any branch Early Voting place at a vote center if a county chooses to operate such for purposes of Early Voting in the joint election it conducts that includes the City election, to the extent that such is lawfully and timely authorized and noticed by the County.

SECTION 8. Counting Stations. (a) For the City votes cast within the Randall County portion of the City, the Randall County Offices at 1604 5th Avenue, Canyon, Texas, is hereby established as the Central County Station to receive and tabulate all voted ballots for said election and officials of the Central Counting Station shall be appointed by separate order. (b) For the votes cast within the Potter County portion of the City, the Potter County Offices located on the third floor of the Santa Fe Building at 900 South Polk Street, Amarillo, Texas, is hereby established as the Central County Station to receive and tabulate all voted ballots for said

election and officials of the Central Counting Station shall be appointed by separate order. (c) In the event the City contracts with both Potter and Randall Counties to conduct the City election, then the Amarillo City Secretary's Office at City Municipal Building, 601 South Buchanan Street, Room 303, Amarillo, Texas is hereby established as the City's Central County Station which shall receive the result from each of the County.

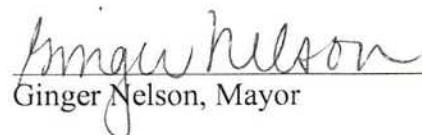
SECTION 9. Expenses Authorized. That the City Secretary and City Manager are expressly authorized to: obtain election supplies; pay election officials; contract with some or all election duties and services from Potter and Randall counties (including conduct of a joint election), in accordance with the adopted budget, applicable law, and an interlocal cooperation agreement, and to timely pay such reasonable and necessary expenses incurred in conducting the regular municipal election ordered herein.

SECTION 10. Construction. In the event of a conflict between the terms of this Resolution and any interlocal cooperation agreement executed to implement the directives and intent of this Resolution, then the terms of the interlocal agreement shall prevail.

SECTION 11. Severance. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Resolution or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Resolution, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 12. Effective Date and Publishing. This Resolution shall be effective upon adoption. The City Secretary shall publish timely notice of this election as provided in Texas Election Code, section 4.003.

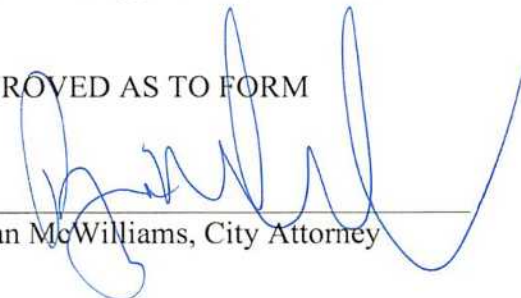
INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this 13th day of August, 2021.


Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM


Bryan McWilliams, City Attorney