

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, CALLING A SPECIAL ELECTION ON MAY 4, 2024, TO SUBMIT A BALLOT PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY TO INCREASE THE GENERAL REVENUE SALES AND USE TAX PURSUANT TO CHAPTER 321 OF THE TEXAS TAX CODE BY ONE PERCENT (1%) FOR A TOTAL OF TWO PERCENT (2%); PROVIDING FOR PROPOSITION LANGUAGE; AND PROVIDING FOR ELECTION PROCEDURES.

WHEREAS, the City of Jamaica Beach, Texas, (the “City”) has the legal authority to impose a sales and use tax within the City pursuant to Chapter 321 of the Texas Tax Code; and

WHEREAS, pursuant to Section 321.101(f) of the Texas Tax Code, the City is authorized to impose a general revenue sales and use tax rate that, when combined with all local taxing authority rates, does not to exceed two percent (2%); and

WHEREAS, the current general revenue sales and use tax rate within the City is one percent (1%); and

WHEREAS, the City Council has determined that an election should be held on the question of increasing the City’s general revenue sales and use tax from one percent (1%) to two percent (2%) for a total increase of one percent (1%) conditioned upon a majority of qualified voters voting “FOR” the one percent (1%) increase; and

WHEREAS, the City approves and agrees to conducting the election jointly with other political entities in accordance with Chapter 271 of the Texas Elections Code and is making provision to contract with Galveston County for the election, pursuant to Chapter 31 of the Texas Elections Code and Chapter 791 of the Texas Government Code; and

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

SECTION 1. The findings set forth above are true and correct and are incorporated into this Ordinance as if fully set forth herein.

SECTION 2. A special election of the City of Jamaica Beach, Texas is hereby ordered and will be held within the City on the 4th day of May 2024, between the hours of 7 a.m. and 7 p.m. to consider the ballot proposition as prescribed by Chapter 321 of the Texas Tax Code for the purpose of increasing the general revenue sales and use tax in the City of Jamaica Beach by one percent (1%) to a total of two percent (2%)

SECTION 3. The official ballots for said election shall be prepared in accordance with the Texas Election Code and Texas Tax Code so as to permit all eligible voters of the City to vote

“FOR” or “AGAINST” the proposition, with the ballots to contain such provisions, marking and language as required by law and with such provisions to be expressed substantially as follows:

PROPOSITION NO. 1

The adoption of a one percent (1%) increase of the general revenue sales and use tax in the City of Jamaica Beach for a total of two percent (2%).

_____ FOR

_____ AGAINST

SECTION 4. The voting locations for voting on Election Day shall be the Galveston County county-wide vote center polling locations as set forth in Exhibit A, or at such other locations as hereafter may be designated by the Galveston County Clerk (the "County Clerk") in accordance with the Contract for Election Services. The City Secretary is hereby authorized to update Exhibit A to reflect the final locations designated by the County Clerk, with locations are hereby adopted and approved. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

SECTION 5. Dwight S. Sullivan, the Galveston County Clerk is appointed as the Early Voting Clerk for the Election. Applications for ballot by mail shall be submitted as follows: Dwight D. Sullivan; Early Voting Clerk; County of Galveston; P.O. Box 17253; Galveston, Texas 77552-7253. If mailing by common contract carrier, applications for ballot by mail should be submitted to: Dwight D. Sullivan, Galveston County Clerk; 600 59th Street, Suite 2001; Galveston, Texas 77551-4180. Applications for ballot by mail must be received no later than the close of business on April 25, 2023.

The early voting polling places shall be designated in Exhibit B, which is attached hereto and incorporated herein for all purposes. Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, or at such other locations as hereafter may be designated by the County Clerk as provided in the Contract for Election Services, The City Secretary or designee is here by authorized to update Exhibit B to reflect the final locations designated by the County Clerk, and such locations are hereby approved.

SECTION 6. The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, polling places may be combined for some precincts, and the

central counting station shall be established and staffed by Galveston County as provided in the Election Services

Agreement and such action are hereby approved* Further, the City Council hereby authorizes the City Secretary to appoint any such other officials not designated herein or appointed pursuant to the Contract for Elections Services as are necessary and appropriate to conduct the Election in accordance with the Code. The central counting stations to receive and tabulate votes shall be at the locations designated by Galveston County.


SECTION 7. The candidate receiving the highest number of votes in each of the positions to be filled at such election shall be declared elected to such position.

SECTION 8. Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said code. The mayor shall issue all necessary orders and writs for such election and returns of such election shall be made to the City Secretary immediately after closing of the polls.


SECTION 9. Said election shall be held in accordance with the Texas Election Code and the Federal Voting Rights Act of 1965, as amended.

SECTION 10. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

DULY PASSED and approved by the City Council of the City of Jamaica Beach, Texas, on the 25th day of January 2024.


Sharon Bower, Mayor

ATTEST:


Robert M. Quintero, City Secretary

