

**CITY OF OAK POINT, TEXAS**  
**ORDINANCE NO. 2022-02-554**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS, CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF OAK POINT ON SATURDAY, MAY 7, 2022, FOR THE PURPOSE OF CONSIDERING A PROPOSITION TO REAUTHORIZE A ONE-FOURTH OF ONE PERCENT (1/4%) STREET MAINTENANCE SALES TAX (PURSUANT TO TEXAS TAX CODE CHAPTER 327, VERNON'S ANNOTATED TEXAS STATUTES); PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE**

**WHEREAS**, the City of Oak Point, Texas is a Type A General Law Municipality located in Denton County, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that Saturday, the 7th day of May, 2022, shall be the special election date for the State of Texas and that a special election of a city may be held on such date; and

**WHEREAS**, the City Council of the City of Oak Point, Texas, (hereinafter referred to as the "City") has determined that the City should conduct a special election on Saturday, May 7, 2022; and

**WHEREAS**, Chapter 327 of the Texas Tax Code, as amended, authorizes Texas cities to adopt a street maintenance sales tax to be used only to maintain and repair municipal streets existing on the date of the election to adopt the tax; and

**WHEREAS**, the citizens of Oak Point voted to adopt a one-fourth of one percent (1/4%) street maintenance sales tax in May 2006 and voted to reauthorize the tax in May 2010, May 2014, and May 2018; and

**WHEREAS**, per Chapter 327 of the Texas Tax Code, the tax expires on the fourth anniversary of the date the tax originally took effect or the first day of the first calendar quarter occurring after the fourth anniversary of the date the tax was last reauthorized under this section, unless imposition of the sales and use tax authorized by this chapter is reauthorized; and

**WHEREAS**, the City Council of the City of Oak Point, Texas, has on its own motion, determined to submit to the qualified voters of said City of Oak Point, Texas, a ballot proposition to reauthorize the one-fourth of one percent (1/4%) street maintenance sales tax (Pursuant to Texas Tax Code Chapter 327, Vernon's Annotated Texas Statutes); and

**WHEREAS**, reauthorization of the sales and use tax and the street maintenance sales tax will not result in the combined rate of all sales and use taxes imposed by the City and other political subdivisions, other than the State of Texas, having sales tax authority in the City to exceed two percent; and

**WHEREAS**, the election so ordered for the City of Oak Point was ordered not later than 78 days before the election day pursuant to Section 3.005(c) of the Texas Election Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS, THAT:**

**SECTION 1.**  
**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 2.**  
**ORDERING OF A SPECIAL ELECTION; ELECTION DATE;  
AND PURPOSE OF ELECTION**

A special election is hereby ordered for the 7<sup>th</sup> day of May, 2022, to be held between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) at which all qualified voters residing within the city limits of Oak Point may vote for the purpose of considering a proposition for approval to renew a one-fourth of one percent (1/4%) street maintenance sales tax (Pursuant to Texas Tax Code Chapter 327, Vernon's Annotated Texas Statutes).

**SECTION 3.**  
**PROPOSITION WORDING**

The following proposition shall be submitted in accordance with the law. The official ballots shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition with the ballots to contain such provisions, markings and language as required by law and with such proposition to be expressed substantially as follows:

**PROPOSITION 1**

"The reauthorization of the local sales and use tax in City of Oak Point, Texas, at the rate of one-fourth of one percent (1/4%) to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the 4<sup>th</sup> anniversary of the date of this election unless the imposition of the tax is reauthorized."

FOR ( 5 )

AGAINST ( 0 )

**SECTION 4.**  
**JOINT ELECTION**

The said election shall be held jointly, by contract, with the Denton County Elections Administrator.

**SECTION 5.**  
**ELECTION DAY POLLING PLACE**

The Election Day polling place is hereby designated per the Joint Election Agreement and Contract for Election Services with Denton County.

**SECTION 6.**  
**EARLY VOTING; EARLY VOTING POLLING PLACE**

Early voting by personal appearance shall be conducted on the following dates and times:

Monday, April 25, 2022	8:00 a.m. to 5:00 p.m.
Tuesday, April 26, 2022	8:00 a.m. to 5:00 p.m.
Wednesday, April 27, 2022	8:00 a.m. to 5:00 p.m.
Thursday, April 28, 2022	8:00 a.m. to 5:00 p.m.
Friday, April 29, 2022	8:00 a.m. to 5:00 p.m.
Saturday, April 30, 2022	8:00 a.m. to 5:00 p.m.
Sunday, May 1, 2022	11:00 a.m. to 5:00 p.m.
Monday, May 2, 2022	7:00 a.m. to 7:00 p.m.
Tuesday, May 3, 2022	7:00 a.m. to 7:00 p.m.

Any eligible Denton County voter may cast their vote during the early voting period at any of the Denton County Early Voting sites as depicted in the Joint Election Agreement and Contract for Election Services with Denton County.

The Denton County Elections Administrator is hereby appointed as the Early Voting Clerk and shall receive applications for a ballot to be voted by mail. Requests for applications may be received no earlier than Saturday, January 1, 2022, and not later than the close-of-business on Friday, April 26, 2022.

The Early Voting Clerk's address to which ballots voted by mail may be sent is:

Frank Phillips, Early Voting Clerk  
Denton County Elections Division  
P.O. Box 1720  
Denton, Texas 76202

**SECTION 7.**  
**ELECTION COMPLIANCE**

The election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas.

**SECTION 8.**  
**VOTING QUALIFICATION; VOTING MATERIAL**

That all registered, qualified voters of the City shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in both English and Spanish for use at the polling places and for early voting for the Election.

**SECTION 9.**  
**NOTICES**

The City Secretary of the City of Oak Point is hereby authorized and directed to give notice of the election by:

- (a) Publishing the notice of the general election at least once, not more than thirty (30) days nor less than ten (10) days before the election in the official newspaper of the City, or between April 7, 2022, and April 27, 2027; and
- (b) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election, by April 14, 2022; and
- (c) Delivering notice of the election to the Denton County Clerk not later than the 60<sup>th</sup> day before Election Day, or March 8, 2022.

The City Secretary shall keep on file a copy of the Publisher's Affidavit, which complies with the Texas Election Code, as amended, that the notice was published, with the name of the newspaper and the dates of publication.

**SECTION 10.**  
**SEVERABILITY CLAUSE**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

**SECTION 11.**  
**EFFECTIVE DATE**

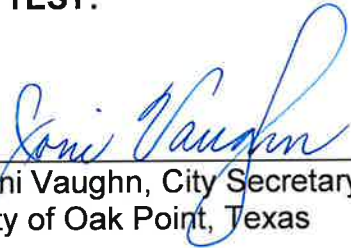
This Ordinance shall be in full force and effect from and after its date of passage, in accordance with law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS ON this the 16th day of February, 2022.**



\_\_\_\_\_  
Dena Meek, Mayor  
City of Oak Point, Texas

**ATTEST:**



\_\_\_\_\_  
Joni Vaughn, City Secretary  
City of Oak Point, Texas

