

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2020 FOR THE PURPOSE OF CREATING THE CITY OF BIG SPRING MUNICIPAL DEVELOPMENT DISTRICT AND THE IMPOSITION OF A SALES AND USE TAX OF ONE-HALF OF ONE PERCENT FOR THE PURPOSE OF FINANCING DEVELOPMENT PROJECTS BENEFICIAL TO THE DISTRICT; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR EARLY VOTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Chapter 377 of the Local Government Code provides that a municipality may call an election on the question of creating a municipal development district to plan, acquire, establish, develop, construct, or renovate one or more development projects beneficial to the district; and

**WHEREAS**, Chapter 377 of the Local Government Code provides that a municipality may create a municipal development district that includes the municipality’s extraterritorial jurisdiction; and

**WHEREAS**, the City Council of the City of Big Spring, Texas, herein orders a special election to be held on Saturday, May 2, 2020, for the purpose of creating the City of Big Spring Municipal Development District (“District”) and to authorize an additional sales tax at the rate of one-half of one percent to fund projects beneficial to the District in accordance with Chapter 377 of the Local Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:**

**SECTION 1.** A special election is hereby ordered to be held on Saturday, May 2, 2020, for the purpose of voting on the creation of a Municipal Development District to be named the “City of Big Spring Municipal Development District” which boundaries shall include all of the extraterritorial jurisdiction of the City of Big Spring, Texas, and which boundaries shall automatically conform to any changes in the boundaries of the municipality’s extraterritorial jurisdiction.

**SECTION 2.** Only qualified electors under the general laws of the state who reside in the extraterritorial jurisdiction of the City of Big Spring shall be qualified to vote for the proposed proposition.

**SECTION 3.** Voting by personal appearance during early voting and on election day shall be by DRE (Direct Recording Electronic) System and by official paper ballot for early voting by mail and for provisional ballots. Early voting by personal appearance will be conducted at Howard County Courthouse located at 300 S. Main St., Big Spring, Texas. Early voting will be held on weekdays beginning April 20, 2020 and ending April 28, 2020. The early voting polling place shall be open to the public from 7:00 a.m. to 7:00 p.m. on Monday, April 27, 2020 and Tuesday, April 28, 2020 and from 8:00 am. To 5:00 p.m. on all other days.

**SECTION 4.** The polling places on election day will be at the following vote center locations:

Dorothy Garrett Coliseum  
1001 Birdwell Lane

Ryan Hall  
605 North Main

First Baptist Church  
705 W. FM 700

Coahoma Community Center  
306 North Ave.  
Coahoma, TX

The polling places shall be open to the public from 7:00 a.m. to 7:00 p.m.

**SECTION 5.** The ballot for the election for the creation of the District and the additional sales and use tax shall be prepared in a manner that the voters may vote “for” or “against” the following Proposition:

“Authorizing the creation of the City of Big Spring Municipal Development District and the imposition of a sales and use tax at the rate of one-half (1/2) of one percent for the purpose of financing development projects beneficial to the district.”

\_\_\_\_\_ For                      \_\_\_\_\_ Against

**SECTION 6.** Mayor Shannon D. Thomason is hereby authorized to execute and have posted notice of said election in accordance with the law.

**SECTION 7.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section be declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, said unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

**SECTION 8.** The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

**SECTION 9.** The City Council finds that the passage of this ordinance constitutes an emergency and an imperative public necessity that the Charter Rule requiring that City ordinances must be read at two separate meetings of the City Council be suspended and said rule is hereby suspended, and this ordinance shall be effective upon its publication as required by law.

**PASSED AND APPROVED** on emergency reading at a special meeting of the City Council on the **14<sup>th</sup>** day of **February, 2020**, with all members present voting “aye” for the passage of same.

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Shannon D. Thomason, Mayor

ATTEST:

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Tami L. Davis, Assistant City Secretary