

RESOLUTION NO. 922

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2021 TO SUBMIT TO THE VOTERS OF THE CITY OF UNIVERSAL CITY, TEXAS A PROPOSITION TO ESTABLISH AN AD VALOREM TAX LIMITATION FOR PERSONS WHO ARE DISABLED OR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OLDER; AUTHORIZING CONTRACTS WITH THE ELECTION ADMINISTRATOR OF BEXAR COUNTY AND OF GUADALUPE COUNTY TO CONDUCT THIS ELECTION AND PROCEDURES RELATED THERETO; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, while generally the Texas Constitution requires that taxation be “equal and uniform,” and that property be “taxed in proportion to its value,” Article VIII, section 1-b(h) of the Texas Constitution authorizes certain governmental entities that impose an ad valorem tax to limit increases of the total amount of the tax on the homesteads of persons with disabilities or persons sixty-five years of age or older known colloquially as a “tax freeze.” Tex. Const. art. VIII, § 1(a)-(b); and

WHEREAS, Texas Constitution, Article VIII, section 1-b(h) provides that on receipt of a petition signed by five percent (5%) of the registered voters of the city, the governing body of the city shall call an election to determine by majority vote whether to establish a tax limitation provided by that subsection; and

WHEREAS, Texas Constitution, Article VIII, section 1-b(h) further provides that the governing body of a city may not repeal or rescind a tax limitation established under that subsection; and

WHEREAS, Texas Constitution Article VIII, section 1-b(h) authorizes the City Council to call an election to adopt a tax freeze for persons who are disabled or who are sixty-five of age or older, but that once a tax freeze is adopted it may not be repealed by an election called pursuant to a petition of the city’s voters; and

WHEREAS, an initiative petition was filed in the office of the City Clerk of the City of Universal City on April 1, 2021, from duly registered voters of the City of Universal City, Texas, styled: “We, the undersigned qualified voters of the City of Universal City, Texas, in accordance with Chapter 277 of the Texas Election Code, hereby petition the City Council of the City of Universal City, Texas to call an election to determine by majority vote whether to establish an ad valorem tax limitation for seniors and the disabled.”; and

WHEREAS, the City Clerk of the City of Universal City certified that the number of valid signatures on the filed petition was 851, or 7% of the registered and qualified voters for the City of Universal City, Texas; and

WHEREAS, the filed petition was certified by the City Clerk on April 21, 2021, and was received by the City Council at the regular City Council Meeting duly held on May 18, 2021; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended; and

WHEREAS, as the laws of the State of Texas and the Universal City Charter require that a City election shall be held, the City Council of the City of Universal City, Texas (the “City”), deems it desirable to call the elections hereinafter ordered.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS, THAT:

Section one. JOINT ELECTION: A Municipal Election is ordered to be held in the City of Universal City, Texas on November 2, 2021, and such Election shall be held jointly with the Bexar County Election Administrator and the Guadalupe County Election Administrator, pursuant to the Joint Elections Agreements. The City Manager is authorized to sign the Joint Election Agreement and related contract documents necessary to effect said election.

Section two. ELECTION DATE, ELECTION PRECINCTS, and POLLING PLACES:

Said election shall be held on 02 November 2021 between the hours of 7:00 a.m. and 7:00 p.m. in the election precincts and polling places designated by the Bexar County Elections Administrator for Bexar County residents and the Guadalupe County Elections Administrator for Guadalupe County residents. Such date being a uniform election date as defined in Texas Election Code § 41.001, as amended.

Section three. EARLY VOTING: Early voting shall be conducted by personal appearance and by mail.

Early voting by personal appearance will begin on October 18, 2021. Early voting by personal appearance shall be held for all precincts in the locations and times designated by the Bexar County Elections Administrator (“Exhibit A”) and the Guadalupe County Elections Administrator (“Exhibit B”).

Early voting by mail for Bexar County residents shall be through the Bexar County Elections Administrator, 103 S. Frio Suite 100 San Antonio, TX 78207. The Early Voting Clerk for said election shall be Jacquelyn F. Callanan, Bexar County Elections Administrator.

Early voting by mail for Guadalupe County residents shall be through the Guadalupe County Elections Administrator, 215 S. Milam, Seguin, Texas 78155. The Early Voting Clerk for said election shall be Lisa Hayes, Guadalupe County Elections Administrator.

Section four. ELECTION OFFICER. The Election Officer shall be the point of contact for the Bexar County Elections Administrator and the Guadalupe County Elections Administrator relating to the Universal City Special Election for the purposes of ballot proofing and approval, receipt of early voting and Election Day information, final election returns and for any other function necessary for the Bexar County Elections Administrator to effect the City’s election. The Election Officer shall be Kristin Mueller, City Clerk of the City of Universal City.

Section five. QUALIFIED VOTERS. All resident, qualified electors of the City shall be entitled to vote in said election.

Section six. OFFICIAL PROPOSITION. At said election the following PROPOSITION B shall be submitted in accordance with law:

PROPOSITION B

"Shall the City of Universal City, Texas be authorized to provide that for a person who is disabled or is sixty-five (65) years of age or older that the total amount of ad valorem taxes imposed on that homestead by the city may not be increased while it remains the residence homestead of that person or that person's spouse who is disabled or sixty-five (65) years of age or older pursuant to Texas constitution Article VIII, Section 1-b?"


Section seven. FORM OF BALLOT: The official ballots for said election shall be prepared in accordance with the Texas Election Code to permit the electors to vote “FOR” or “AGAINST” the aforesaid PROPOSITION B, and with such PROPOSITION B to be expressed substantially as follows:

- FOR Authorizing the City of Universal City, Texas, to provide that for a person who is disabled or is sixty-five (65) years of age or older that the
- AGAINST total amount of ad valorem taxes imposed on that homestead by the city may not be increased while it remains the residence homestead of that person or that person's spouse who is disabled or sixty-five (65) years of age or older pursuant to Texas constitution Article VIII, Section 1-b.

Section nine. ORDER AND NOTICE. The Mayor shall issue all necessary orders, writs and notices for said election in accordance with the Texas Election Code.

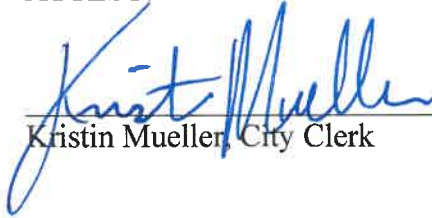
Section ten. BILINGUAL ELECTION MATERIALS. All election materials (including notice of election, ballots, and forms which voters may be required to sign) shall be printed in both English and Spanish, as required by the Texas Election Code and the Federal Voting Right Act of 1965, each as amended.

PASSED and ADOPTED this the 3rd day of August 2021.



John Williams, Mayor

ATTEST:



Kristin Mueller, City Clerk

