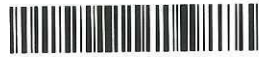


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STATE OF TEXAS  
CITY OF NEW BERLIN

ORDINANCE NO. 2020-001

**An Ordinance calling for an election in the City of New Berlin, Texas, to submit a certain Proposition on the question to abolish the prior sales and use tax for maintenance and repair of municipal streets first adopted in 2014 under the V.T.C.A., Tax Code Chapter 327 and the adoption of a general local sales and use tax in the City of New Berlin at a rate of one and one half (1 ½) percent.**

**WHEREAS**, the Board of Alderman of the City of New Berlin, Texas has determined that an election should be held for the purpose of submitting a certain Proposition on the abolishment of the prior levy and collection of sales and use tax to provide for the repair and maintenance of municipal streets and the adoption of a general local sales and use tax in the City of New Berlin at a rate of one and one half (1 ½) percent under the provisions of the V.T.C.A., Tax Code, Chapter 327.

**AND WHEREAS**, the Board of Alderman of the City of New Berlin, Texas hereby find and determined that an election under Chapter 327 has not been previously held within one year from the date of this Ordinance.

**WHEREAS**, The Board of Alderman of the City of New Berlin, Texas here by further find and determine the City is not disqualified from adopting the sales and use in that the combined rate of all sales and use tax is imposed by the City of New Berlin, Texas and other political subdivisions having authority within the City does not and will not, with the adoption of the local sales and use tax, exceed 2% at any location in the City.

**NOW THEREFORE, be it ordained by the Board of Alderman of the City of New Berlin, Texas:**

**Section 1.** An election will be held on the third day of November, 2020 which is the first succeeding uniform election date for which sufficient time has lapsed for the holding of an election according to V.T.C.A., Election Code, Section 41.001, for the purpose of submitting the following measure:

**MEASURE**

**“The abolishment of the prior sales and use tax first adopted in 2014 for the maintenance and repair of municipal streets, and the adoption of a general local sales and use tax in the City of New Berlin at a rate of one and one half (1 ½) percent. “**

**Section 2.** The entire City shall constitute an election precinct for this election. The Guadalupe County elections office is hereby designated to administer the election. The voting time and places are for those provided the 2020 November general election by the Guadalupe County elections office. Early voting will be conducted by, and in those places provided by, Guadalupe County elections office for the 2020 November general election.

**Section 3.** All ballots and voting materials will be provided by the Guadalupe county elections office, located at 215 S. Milam, Seguin, TX 78155. Telephone number (830) 303-6363, so as to permit the electors of the City of New Berlin, Texas to vote “For” or “Against” the aforesaid measure which shall appear on the ballots substantially as follows:

**PROPOSITION**

**“The abolishment of the prior sales and use tax first adopted in 2014 for the maintenance and repair of municipal streets, and the adoption of a general local sales and use tax in the City of New Berlin at a rate of one and one half (1 ½) percent.”**

**Section 4.** All resident qualified electors of the City shall be permitted to vote at said election. This election shall be held and conducted in accordance with the provisions of the V.T.C.A., Election code and the V.T.C.A., Tax Code, Chapter 327, and the ACT and, as may be required by law, all election material and proceeding shall be printed in both English and Spanish.

**Section 5.** The public importance of this measure and the fact there is an urgent necessity for the election here in order to be held on the next uniform election date in November, 2020 to avoid further delay in settling the important public issues contain in the Proposition to be submitted at such election constitute and create an emergency for the immediate preservation of the public business, property, health or safety, or providing the usual daily operations of municipal government, and this Ordinance is hereby declared an emergency measure and shall be in full force and effect from after the date shown below following its passage and adoption.

**Section 6.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of the judgment and findings of the Board of Alderman.

**Section 7.** All Ordinances and Resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters ordain herein.

**Section 8.** This Ordinance shall be construed and enforced in accordance with the laws of the state of Texas in the United States of America.

**Section 9.** It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice was given of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, all as required by Chapter 551, as amended, of the Texas Government Code.

**PASSED AND ADOPTED**, this 15<sup>th</sup> day of June, 2020.

  
Walter C. Williams, Mayor

ATTEST:  
  
Marjorie L. Snell, City Secretary





This page has been added by the Guadalupe County Clerk's office to comply with the statutory requirement that the recording information shall be placed at the foot of the record.

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I certify this instrument was FILED and RECORDED  
in the OFFICIAL PUBLIC RECORDS  
of Guadalupe County, Texas on  
06/19/2020 04:01:25 PM PAGES: 3 EDIE  
TERESA KIEL, COUNTY CLERK



*Teresa Kiel*

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