

ORDINANCE NO. 2024-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD WITHIN THE CITY TO SUBMIT A PROPOSITION AUTHORIZED BY CHAPTER 26 OF THE TEXAS TAX CODE, APPROVING THE AD VALOREM TAX RATE OF \$0.661043 PER \$100 VALUATION IN THE CITY OF COPPERAS COVE FOR THE CURRENT YEAR, A RATE THAT IS \$0.052964 HIGHER PER \$100 VALUATION THAN THE VOTER-APPROVAL TAX RATE OF THE CITY OF COPPERAS COVE, FOR THE PURPOSE OF PROVIDING COMPETITIVE POLICE AND FIRE SALARIES AND MAINTAINING PUBLIC SERVICES ON THE 5TH DAY OF NOVEMBER 2024; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On August 1, 2024, the City Council received the calculated tax rates for 2024 as prepared by the Coryell County Tax Assessor/Collector and proposed an ad valorem tax rate higher than the voter-approval tax rate as calculated in accordance with Texas Tax Code Chapter 26, Section 26.04; and

WHEREAS, The City of Copperas Cove published a public hearing notice and held a public hearing on August 19, 2024 as required by Texas Tax Code Chapter 26, Section 26.06; and

WHEREAS, On August, 19, 2024, the City Council of the City of Copperas Cove, Texas, adopted the ad valorem tax rate of **\$0.661043** per \$100 valuation, a rate that is higher than the calculated voter-approval tax rate of **\$0.608079** per \$100 valuation; and

WHEREAS, The City Council of the City of Copperas Cove finds that it is appropriate, and in the best interest of the citizens of the City of Copperas Cove that an election be held for the purpose of submitting a proposition to approve the ad valorem tax rate of **\$0.661043** per \$100 valuation, a rate that is higher than the calculated voter-approval tax rate of **\$0.608079** per \$100 valuation for the City of Copperas Cove, for the purpose of providing competitive police and fire salaries and maintaining public services; and

WHEREAS, it is hereby officially found that holding the hereinafter called special election on the date set below is in the public interest and that the meeting at which this ordinance is adopted 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 Local Government Code; and

WHEREAS, pursuant to Texas Tax Code, Section 26.07, City Council shall by this Ordinance order a Special City Election to be held on a uniform election day

prescribed by Texas Election Code, Section 41.001 in and throughout the CITY OF COPPERAS COVE, TEXAS, said date being the 5th day of November 2024, and;

WHEREAS, it is the City Council's intent that the election shall be held as a Joint Election administered by the Coryell County Elections Administrator and Lampasas Elections Administrator in accordance with the provisions of the Texas Election Code, the Charter of the City of Copperas Cove, and a Joint Election Contract with the County of Coryell and Lampasas; and

WHEREAS, it is City Council's intent that the City accept Coryell and Lampasas County Election Administration's use of the direct recording electronic voting system, which have been certified by the Secretary of State in accordance with the Texas Election Code and approved by the United States Department of Justice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE TEXAS:

SECTION 1. SPECIAL ELECTION ORDERED. It is hereby ordered that a Special City Election be held in and throughout the CITY OF COPPERAS COVE, TEXAS, on the 5th day of November 2024, to determine whether "Approving the ad valorem tax rate of **\$0.661043** per \$100 valuation in the City of Copperas Cove for the current year, a rate that is **\$0.052964** higher per \$100 valuation than the voter-approval tax rate of the City of Copperas Cove, for the purpose of providing competitive police and fire salaries and maintaining public services. Last year, the ad valorem tax rate in the City of Copperas Cove was \$0.672652 per \$100 valuation." and;

SECTION 2. BALLOT. The official ballot to be used in the Special Election shall be prepared in accordance with the Texas Election Code. The ballots shall permit the voter to vote "For" or "Against" the aforementioned proposition and shall be set forth in substantially the following form:

Proposition

Approving the ad valorem tax rate of **\$0.661043** per \$100 valuation in the City of Copperas Cove for the current year, a rate that is **\$0.052964** higher per \$100 valuation than the voter-approval tax rate of the City of Copperas Cove, for the purpose of competitive Police and Fire salaries and maintaining public services. Last year, the ad valorem tax rate in the City of Copperas Cove was \$0.672652 per \$100 valuation.

- For**
- Against**

SECTION 3. Early voting by personal appearance will be conducted for Coryell County residents of Copperas Cove as follows:

Coryell County Annex – Gatesville
800 E. Main Street, Suite B
Gatesville, TX 76528

Coryell County Early Voting Center
508-B Cove Terrace Shopping Center
Copperas Cove, TX 76522

October 21-25	8 a.m. – 5 p.m.
October 26	7 a.m. – 7 p.m.
October 27	11 a.m. – 5 p.m.
October 28-31	7 a.m. – 7 p.m.
November 1	7 a.m. – 7 p.m.

SECTION 4. Early voting by personal appearance will be conducted for Lampasas County residents of Copperas Cove as follows:

Lampasas County Annex 1
409 South Pecan Street
Lampasas, TX 76550

October 21-25	8 a.m. – 5 p.m.
October 26	7 a.m. – 7 p.m.
October 27	9 a.m. – 3 p.m.
October 28-31	7 a.m. – 7 p.m.
November 1	7 a.m. – 7 p.m.

SECTION 5. Election Day voting will be conducted on November 5, 2024 from 7:00 a.m. to 7:00 p.m. at the locations listed below. Coryell and Lampasas Counties will conduct the election under the county wide polling place program. Voters may vote at any vote center listed in their county of residence.

(a) Coryell County residents of Copperas Cove (vote at any location below) –

Copperas Cove Civic Center	1206 West Avenue B	Copperas Cove
Holy Family Catholic Church	1001 Georgetown Rd	Copperas Cove
Eastside Baptist Church	1202 M. L. King Jr. Blvd	Copperas Cove
Gatesville Civic Center	303 Veterans Memorial LP	Gatesville
Evant City Hall	598 E. Hwy 84	Evant
Flat Community Center	159 CR 334	Flat
Oglesby Community Center	118 Main Street	Oglesby
Turnersville Community Center	8115 FM 182	Gatesville

(b) Lampasas County residents of Copperas Cove (vote at any location below) –

Kempner Fire Dept Trng Center	315 South Pecan	Kempner
Lometa City Hall	100 E. San Saba St.	Lometa
New Covenant Church	1604 Central Tx Exp	Lampasas
Clear Creek Baptist Church	3350 FM 2657	Kempner
Adamsville Community Center	174 CR 3750	Adamsville

SECTION 6. That the City Secretary is hereby directed to cause notice of said election to: (i) be published at least once, not earlier than the 30th day nor later than the 10th day, before election day as provided in Section 4.003(a) (1) of the Texas Election Code; and (ii) be posted on the principal bulletin board used for posting notices of the City Council meetings not later than the 21st day before election day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with Texas Election Code Section 4.005.

SECTION 7. That applications for ballot by mail for Coryell County residents shall be mailed to: Justin Carothers Coryell County Tax Office, P.O. Box 6, Gatesville, Texas 76528. Applications for early voting ballot by mail must be received no later than the close of business on October 25, 2024.

SECTION 8. That applications for ballot by mail for Lampasas County residents shall be mailed to: Mark Bishop Lampasas County Elections Administrator, P.O. Box 571, Lampasas, Texas 76550. Applications for early voting ballot by mail must be received no later than close of business on October 25, 2024.

SECTION 9. That if a run-off election becomes necessary, the Coryell County Election Official will conduct the run-off election at a time determined by date of official canvass.

SECTION 10. That in accordance with Section 123.001 of the Texas Election Code, the Direct Recording Electronic Voting Systems approved by the Secretary of State are hereby adopted for the election on November 5, 2024.

SECTION 11. That the City Manager is hereby authorized to execute a joint election contract for the conduct of a joint election to be held on November 5, 2024, and to approve any amendments thereto.

SECTION 12. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election notices, preparation of ballot wording and candidate order to the County Election Officers, and necessary submissions to the U.S. Department of Justice under the Federal Voting Rights Act of 1965.

SECTION 13. Section 61.012 of the Texas Election Code requires that the City must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. The City shall use, in Early Voting and Election Day Voting, a voter assist terminal as approved by the Secretary of State, and shall contract with the Coryell and Lampasas County Elections Administrations, respectfully, for the use of said voter assist equipment that Coryell and Lampasas County uses for their elections, as same may be necessary.

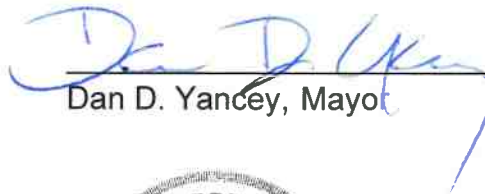
SECTION 14. The preparation of the voting equipment to be used in connection with the general election ordered herein shall conform to the Code so as to permit the electors to vote for and elect the Mayor, Council Member Position 1 and Council Member Position 2. Said ballots shall have printed thereon such provisions, markings, and language as may be required by law. The City shall contract with the Coryell and Lampasas County Elections Administration for the use of said voting equipment and ballots for the election ordered by this ordinance, as same may be necessary.

SECTION 15. The City shall contract with the Coryell and Lampasas County Elections Administrations to perform all duties normally performed by the City Secretary in general elections with respect to early voting, election day voting, and preparing the official ballots.

SECTION 16. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

PASSED, APPROVED, AND ADOPTED on this 19th day of August 2024, at a regular meeting of the City Council of the City of Copperas Cove, Texas which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't. Code, §551.001, et.seq.* at which meeting a quorum was present and voting.

CITY OF COPPERAS COVE, TEXAS



Dan D. Yancey, Mayor

ATTEST:



Lisa Wilson, City Secretary



APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to be 'C. S. Zech', written above a horizontal line.

Denton, Navarro, Rodriguez, Bernal,
Santee & Zech P.C., City Attorney