

RESOLUTION NO: R-2022-0028

RESOLUTION OF THE CITY OF LA MARQUE DECLARING THE RESULTS OF THE LA MARQUE TAX REFERENDUM ELECTION HELD FOR AND BY THE GALVESTON COUNTY ELECTIONS DIVISION ON MAY 7, 2022, THE CANVASS OF THE VOTES PURSUANT TO THE TEXAS ELECTION CODE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

THAT, WHEREAS, the County of Galveston Election Judges for the Special Election held May 7, 2022, in the City of La Marque, Texas, have duly filed the returns of such election, which returns have been verified by the City Clerk;

WHEREAS, it appears that such election was duly called; that notice thereof was given in accordance with the law, and the returns and tabulations should be adopted;

WHEREAS, at such election the following proposition was submitted to the voters:

**SPECIAL ELECTION
MAY 7, 2022
FOR LA MARQUE TAX REFERENDUM**

“Reducing the tax rate in the City of La Marque for the current year from .550764 to .477076”

WHEREAS, such election was held and conducted and the returns thereof were made all as required by the City Charter of La Marque, Texas and the laws of the State of Texas;

WHEREAS, the City Council of La Marque, Texas has reviewed and investigated all matters pertaining to the Special Election, including orders, notices, election officers, holding, and returns thereof, and it is now necessary to declare the official results of the canvass; and

WHEREAS, the City Council of the City of La Marque, Texas, convened on Tuesday, May 17, 2022, to canvass the returns of the Special Election, a time in conformity with the laws of the State of Texas and Article IV of the City Charter of La Marque, Texas

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and they are hereby adopted by the City Council and made apart hereof for all purposes.

SECTION 2. The City Council of La Marque, Texas convened on May 17, 2022 to canvass the returns of the Special Election held on Saturday, May 7, 2022, and after canvassing the returns of said election, officially finds and determines that said election was duly ordered; proper notice of said election was duly given; proper

election officers were duly appointed prior to said election; said election was duly held; the City has complied with the Federal Voting Rights Act and the Texas Election Code; and due returns of the results of said election have been made and delivered, all in accordance with applicable law and the Resolutions calling the election.

SECTION 3. (a) Upon a canvass of the returns of the Special Election for La Marque Tax Referendum it is hereby officially declared that the following positions received the following number of votes listed beside each position, respectively:

<u>As it appeared on the ballot</u>	<u>Total Votes / Percentage</u>	
FOR	960	71.86%
AGAINST	376	28.14%

(b) the “For” proposition received a majority of the votes cast in the Special Election and therefore the “For” proposition is declared the winner and the tax rate of the City of La Marque, Texas, in accordance with and by Texas law, is reduced to \$.477076 on each \$100.00 taxable valuation of property.

SECTION 4. The City Council of the City of La Marque, Texas, upon completion of this canvass, delivers this tabulation, lists, and other records used in this canvass to the City Clerk, the general custodian of the election records, for entry into the election register as required by the Texas Election Code.

SECTION 5. The City Clerk is hereby directed to record in the election register the precinct totals of all of the election returns, which shall be incorporated into this Resolution by reference, in accordance with Texas law.

SECTION 6. This canvass has been conducted in accordance with Article IV of the City Charter of La Marque, Texas, and Texas law.

SECTION 7. It is hereby declared to be the intention of the City Council of La Marque, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable and, if any phrase, clause, sentence, paragraph or section of this Resolution should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution, because the same would have been enacted by the City Council of La Marque, Texas without the incorporation in this Resolution of any such invalid phrase, clause, sentence, paragraph or section.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the 17th day of May 2022.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra K. Nance, TRMC
City Clerk

APPROVED AS TO FORM:

Gus Knebel, City Attorney