TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. 806-26

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2026, TO SUBMIT A PROPOSITION ON THE QUESTION OF REAUTHORIZING THE SALES AND USE TAX AT THE RATE OF FIVE-EIGHTHS OF ONE PERCENT (0.625%) TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; APPROVING A JOINT ELECTION CONTRACT WITH DENTON COUNTY; AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT; PROVIDING FOR NOTICE; FIXING THE TIME, PLACE AND MANNER OF HOLDING SAID ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Bartonville, Texas, ("Town") is a Type "A" General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, on November 8, 2022, a reallocating election was held in accordance with Texas Tax Code Section 327.001 et seq., (the "Act"), wherein the registered voters of Bartonville, Texas, approved a proposition to reallocate the imposition of five-eighths of one percent sales and use tax to provide revenue for maintenance and repair of municipal streets; and

WHEREAS, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

WHEREAS, the Town Council of the Town of Bartonville ("Town Council"), hereby finds that it is appropriate, advisable and in the best interest of the citizens of the Town that an election be held for the purpose of submitting a proposition on the question of reauthorizing the rate of sales and use tax to provide revenue for maintenance and repair of municipal streets in the existing amount of five-eighths of one percent; and

WHEREAS, Section 41.001(a), Election Code, provides that except as otherwise provided for, each special election in this state shall be held on the first Saturday in May or the first Tuesday after the first Monday in November; and

WHEREAS, Tuesday, November 3, 2026, is the first authorized uniform election date occurring on or after the 46th day after the date of this order; and

WHEREAS, in accordance with Section 271.002 of the Texas Election Code, the Town's special election will be conducted jointly with other political subdivisions of Denton County, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1

The facts and recitations contained in the above preamble of this Ordinance are hereby found to be true and correct legislative determinations and are incorporated herein as if copied in their entirety.

SECTION 2

The Town Council of the Town of Bartonville hereby orders a joint Special Election to be held on November 3, 2026, being the first Tuesday in November, for the purpose of submitting a proposition on the question of reauthorizing the rate of sales and use tax to provide revenue for maintenance and repair of municipal streets in the amount of five-eighths of one percent (0.625%), which such ballot shall read so that voters may cast their ballots either **"FOR"** or **"AGAINST"** the following proposition which shall appear on the ballot in substantially the following form:

FOR (_____) **AGAINST (_____)**	"The reauthorization of the local sales and use tax in the Town of Bartonville at the rate of five-eighths of one percent (0.625%) to continue providing revenue for maintenance and repair of municipal streets."

SECTION 3

Prior to the election, the Town anticipates that it will enter into an agreement for election services with Denton County (the "Election Agreement"). The Mayor is hereby authorized to execute the Election Agreement with Denton County for the conduct of the election in accordance with Chapter 31, Subchapter D of the Code and other applicable statutes and laws, a copy of which Election Agreement shall be incorporated herein as **Exhibit "A"** upon its final approval and execution by the Mayor.

The Mayor, or designee, is authorized to amend or supplement the Election Agreement as necessary for the administration of the general election to the extent required for the general election to be conducted in an efficient and legal manner as determined by the Election Administrator and in accordance with the Code. In the event of a conflict between this Ordinance and the Election Agreement, the Election Agreement shall control.

SECTION 4

In accordance with Sections 31.097 and 271.006 of the Texas Election Code, Frank Phillips, Denton County Election Administrator, shall be appointed to serve as the Early Voting Clerk and his permanent county employees are appointed as deputy early voting clerks.

Frank Phillips, Early Voting Clerk
Denton County Elections
701 Kimberly Drive, Suite A101
Denton, Texas 76208

Applications for ballots by mail must be received no later than the close of business on Friday, October 23, 2026.

SECTION 5

Early Voting by personal appearance will be held jointly with other Denton County public entities at Denton County's Main Early Voting Site located at the Denton Council Administration Building, 701 Kimberly Drive, Denton, Texas 76208 beginning on Monday, October 19, 2026 and continuing through October 30, 2026.

Additional early voting locations or changs to early voting locations as identified in the Election Agreement or other document issued by the Denton County Elections Administrator following execution of this Agreement shall be incorporated herein by reference without additional action of the Town Council.

SECTION 6

The polling place for Precinct 4027 within the corporate limits of the Town of Bartonville will be located at a location determined by the Denton County Elections Administrator to be identified in the Election Agreement. The polls for said election day shall be open from 7:00 am – 7:00 pm unless otherwise provided by State law.

SECTION 7

The election materials as outlined in Chapter 272 of the Code, shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

SECTION 8

The Mayor is authorized to sign the Order of Election and Notice of General Election. The Notice of General Election shall be published in accordance with the provisions of the Code. The Town Secretary, in consultation with the Town Attorney, is hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in conducting the election, whether or not expressly authorized herein.

SECTION 9

Election officials for the election shall be appointed by Denton County as authorized by Chapter 271 of the Code.

SECTION 10

Voting shall be conducted using Denton County's voting system. All expenditures necessary to conduct the election, the purchase of materials, and the employment of all election officials are hereby authorized and shall be conducted in accordance with the Code.

SECTION 11

The election shall be conducted pursuant to the Constitution of the State of Texas and the Code, and all resident qualified voters of the Town shall be eligible to vote in the election.

SECTION 12

The Mayor and the Town Secretary, in consultation with the Town Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 13

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 14

This Ordinance shall be in full force and effect upon passage.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on this the 14th day of July 2026.

APPROVED:

Jaclyn Carrington,
Mayor

ATTEST:

Shannon Montgomery, TRMC
Town Secretary