

NOTICE

ORDINANCE NO. 001-2001

AN ORDINANCE CALLING FOR AN ELECTION TO BE HELD ON MAY 5, 2001 TO ADOPT A SALES AND AND USE TAX, AN ADDITIONAL SALES AND USE TAX, A SECTION 4B SALES AND USE TAX, AND PROVIDING FOR THE LOCATION OF THE MAIN POLLING PLACE..

WHEREAS, it is necessary to hold said election in the City of Fruitvale, Texas to allow voters to consider adoption of sales and use tax within the city; and

WHEREAS, the City of Fruitvale is authorized by law to hold such election on May 5, 2001; and

WHEREAS, the election is hereby ordered, for the propositions adopting sales and use tax, to be held at the Fruitvale High School library located on Van Zandt county road 1901 in Fruitvale, Texas.

Section 1: Propositions for a one percent sales and use tax to be adopted within the city, an additional one-half percent sales and use tax within the city, and the adoption of a Section 4B sales and use tax at a rate of one-half of one percent within the city.

Section 2: The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the propositions, with the ballots such provisions, markings and language as required by law, and with the proposition to be expressed substantially as follows:

Proposition 1.

A one percent sales and use tax is adopted within the city.

For the Proposition _____
Against the Proposition _____

Proposition 2.

The adoption of an additional sales and use tax within the city at a rate of one-half of one percent.

For the Proposition _____
Against the Proposition _____

Proposition 3.

The adoption of a Section 4B sales and use tax at the rate of one-half of one percent to undertake projects as described in section 4B of article 5190.6.

For the Proposition _____
Against the Proposition _____

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITVALE, TEXAS

THIS 12 TH. DAY OF FEBRUARY, 2001.

Attest: Bee Whisenand
City Secretary

Chad R. Wade
Mayor

SALES TAX PROPOSAL

Adopting a tax would require the passing of three propositions by a majority vote of the legal citizens of the city. The propositions and the estimated revenue of each are as follows.

1. The adoption of a one percent sales tax. This will generate approximately \$4,400 a year to the general fund.
2. The adoption of an additional one-half of one percent sales tax. This will generate approximately \$2,200 a year to the general fund.
3. The adoption of a Section 4B sales and use tax at the rate of one-half of one percent to under-take projects as described in section 4B of article 5190.6. This would generate approximately \$2,200 a year. Disbursement of these funds would be decided by a board of directors appointed by the city council as described in section 4B of article 5190.6. This board will be made up of seven people from the city and / or the surrounding area. Three directors shall be persons who are not council members, employees, or officers of the city.

The revenue from a Section 4B is for but not limited to projects for the promotion of professional and amateur athletics and sports including stadiums, ball parks, auditoriums, projects related to entertainment, convention tourist, and exhibition facilities, amphitheaters, concert halls, and **public parks, park facilities and events**, open space improvements, learning centers, municipal buildings, museums and related stores, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, recycling facilities and projects to promote new or expanded business enterprises including public safety facilities, streets and roads, drainage, and related improvements, demolition of existing structures, and **general improvements that are municipally owned**, as well as any other improvements or facilities that are related to any of the above projects and any other project that the board determines will promote new or expanded business enterprises, and the maintenance and operations expenses for any of the above described projects.

Required Procedures.

1. Create an ordinance calling for an election. The election must be held at the next uniform election date but no less than 30 days after passing the ordinance calling the election.
2. Post a notice of election at least 30 days prior to the election.
3. Canvass the votes and send a copy to the state comptrollers office. After verification of the vote the comptrollers office will began collecting the tax at the next quarterly reporting period. The comptrollers office will then wire deposit the proceeds directly to the city bank account. There is no out of pocket expenses on the cities part.