

ORDINANCE NO. 2014-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS CALLING AN ELECTION TO BE HELD WITHIN THE CITY ON MAY 10, 2014, TO SUBMIT A PROPOSITION TO REDUCE THE RATE OF THE SALES AND USE TAX COLLECTED BY THE CITY FOR PROPERTY TAX RELIEF FROM ONE-HALF (1/2) OF ONE PERCENT TO THREE-EIGHTHS (3/8) OF ONE PERCENT AND IMPOSE A SALES AND USE TAX AT A RATE OF ONE-EIGHTH(1/8) OF ONE PER CENT FOR PURPOSES AUTHORIZED BY CHAPTERS 501, 502 AND 505, TEXAS LOCAL GOVERNMENT CODE (FORMERLY SECTION 4B OF THE DEVELOPMENT CORPORATION ACT OF 1979); MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 12, 1989, an election (the "Election") was held in the City of Mineral Wells, Texas (the "City"), pursuant to which the voters approved a one-half of one percent sales and use tax (the "Sales Tax Relief Tax") to be levied and collected within the City to be used to reduce the property tax rate;

WHEREAS, the City Council (the "Council") of the City hereby finds that it is appropriate, advisable and in the best interest of the citizens of the City that an election be held for the purpose of submitting a proposition to reduce the rate of the sales and use tax collected by the City for property tax relief pursuant to Chapter 321, Texas Tax Code, from one-half (1/2) of one percent to three-eighths (3/8) of one percent and impose a sales and use tax at a rate of one-eighth(1/8) of one per cent for purposes authorized by chapters 501, 502 and 505, Texas Local Government Code (formerly section 4B of the Development Corporation Act of 1979); and

WHEREAS, it is hereby officially found and determined that holding the hereinafter called election on the date set forth 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, Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS:

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. An election shall be held in the City between the hours of 7:00 A.M. and 7:00 P.M. on May 10, 2014, at the following designated polling place:

Palo Pinto County Annex  
109 North Oak Avenue  
Mineral Wells, Texas 76068

Section 2. The City shall constitute a single election precinct for said election. At the election, the proposition set forth in Section 7 hereof shall be submitted to the qualified voters of the City.

Section 3. Early voting shall be conducted by personal appearance at the Palo Pinto County Annex, 109 North Oak Avenue, Mineral Wells, Texas 76068 and during the period early voting as required or permitted by law, being April 28, 2014 through May 6, 2014, on the dates and at the times set forth below:

Monday, April 28, 8:00 A.M. - 8:00 P.M.  
Tuesday - Friday, April 29 - May 2, 8:00 A.M. - 5:00 P.M.  
Monday, May 5, 8:00 A.M. - 8:00 P.M.  
Tuesday, May, 6, 8:00 A.M. - 5:00 P.M.

The early voting clerk shall keep said early voting place open during such hours for early voting by personal appearance. The early voting clerk for said election shall be Judith Evans.

Applications for early voting by mail shall be mailed to Judith Evans, Palo Pinto County Elections Administrator, P.O. Box 275, Palo Pinto, Texas 76484. Applications for ballot by mail must be received no later than close of business on May 1, 2014.

Section 4. An early ballot board is hereby created to process early voting results, and Mary Motley is hereby appointed as the presiding judge of said board. The presiding judge shall appoint at least two other members of the board.

Section 5. All resident, qualified electors of the City shall be entitled to vote at said election.

Section 6. Notice of said election shall be given by posting a substantial copy of this ordinance on the bulletin board used for posting notices of the meetings of the Council, and at three other public places in the City, not less than 21 days prior to the date set for said election; and an election notice also shall be published on the same day in each of two successive weeks in a newspaper of general circulation that is published in the City or, if no newspaper of general circulation is published in the City, a newspaper of general circulation in the City, the date of the first publication to be not earlier than the 30th day or later than the 14th day prior to the date set for said election.

Section 7. At the election the following PROPOSITION shall be submitted in accordance with law:

#### PROPOSITION

The reduction in rate of the sales and use tax collected by the City of Mineral Wells, Texas, for property tax relief pursuant to Chapter 321, Texas Tax Code, from one-half (1/2) of one percent to three-eighths (3/8) of one percent and the imposition of a sales and use tax at a rate of one-eighth (1/8) of one per cent for purposes authorized by Chapters 501, 502 and 505, Texas Local Government Code (formerly Section 4B of the Development Corporation Act of 1979, the "Act") as now or hereafter amended, including land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements to promote new or expanded business enterprises and economic development, including renovation and restoration of the historic Baker Hotel, and land, buildings, equipment, facilities, and improvements required or suitable for use for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described above and any other improvements or facilities that are related to any of the above described

projects, and the maintenance and operation expenses for any of the above described publicly owned projects.

**Section 8.** The official ballots for the election shall be prepared in accordance with the Texas Election Code (the "Code") so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

**PROPOSITION**

☐ FOR

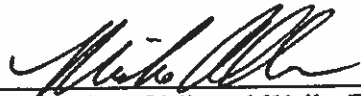
☐ AGAINST

The reduction in rate of the sales and use tax collected by the City of Mineral Wells, Texas, for property tax relief pursuant to Chapter 321, Texas Tax Code, from one-half (1/2) of one percent to three-eighths (3/8) of one percent and the imposition of a sales and use tax at a rate of one-eighth (1/8) of one per cent for purposes authorized by Chapters 501, 502 and 505, Texas Local Government Code (formerly Section 4B of the Development Corporation Act of 1979, the "Act") as now or hereafter amended, including land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements to promote new or expanded business enterprises and economic development, including renovation and restoration of the historic Baker Hotel, and land, buildings, equipment, facilities, and improvements required or suitable for use for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described above and any other improvements or facilities that are related to any of the above described projects, and the maintenance and operation expenses for any of the above described publicly owned projects.

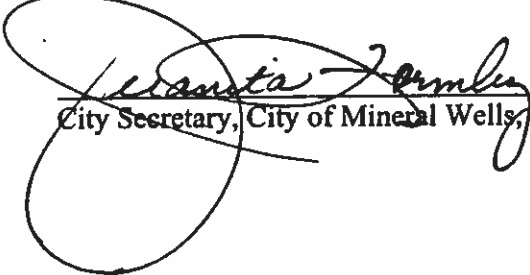
**Section 9.** In all respects said election shall be conducted in accordance with the Code.

**Section 10.** This Ordinance shall be effective immediately upon its adoption by the Council.

PASSED, APPROVED AND EFFECTIVE this 25th day of February, 2014.

  
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Mayor, City of Mineral Wells, Texas

ATTEST:

  
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City Secretary, City of Mineral Wells, Texas



CITY SEAL]