

**CITY OF TUSCOLA, TEXAS**

**ORDINANCE # 83**

**AN ORDER OF THE TEMPORARY BOARD OF DIRECTORS OF THE CITY OF TUSCOLA CRIME CONTROL AND PREVENTION DISTRICT, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 10TH DAY OF MAY, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE PROPOSED DISTRICT COMPRISING THE CITY OF TUSCOLA, TEXAS, A BALLOT PROPOSITION TO ADOPT A SALES AND USE TAX FOR THE PROPOSED DISTRICT AT THE RATE OF ONE-HALF OF ONE PERCENT DEDICATED TO CRIME CONTROL AND PREVENTION PROGRAMS; DESIGNATING THE PLACES AND MANNER OF HOLDING SAID ELECTION; PROVIDING A SUMMARY OF THE PROPOSED BUDGET PLAN AND CRIME CONTROL PLAN; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the "Code") establishes MAY 10TH, 2014, as a "uniform election date" for the purposes of conducting a special election; and

**WHEREAS**, the City of TUSCOLA, Texas, currently imposes a local sales and use tax at a combined rate of 7.5 percent; and

**WHEREAS**, chapter 363 of the Texas Local Government Code authorizes the adoption of the crime control and prevention district sales and use tax at a rate not to exceed one-half of one percent for the purposes of crime control and prevention programs; and

**WHEREAS**, the Temporary Board of Directors of the proposed City of TUSCOLA Crime Control and Prevention District has determined that the proposed district shall conduct an election to ascertain whether a crime control and prevention district sales and use tax at the rate of one-half of one percent shall be imposed within the said district pursuant to Chapter 363 of the Texas Local Government Code, for the purposes of crime reduction programs.

**NOW, THEREFORE, BE IT ORDERED BY THE TEMPORARY BOARD OF DIRECTORS OF THE PROPOSED CITY OF TUSCOLA CRIME CONTROL AND PREVENTION DISTRICT, THE FOLLOWING:**

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## **SECTION 1**

### **Incorporation of Premises**

That all of the above premises are found to be true and correct and are incorporated into the body of this Order as if copied in their entirety.

## **SECTION 2**

### **Election Order; Election Date; Purpose of Election**

That a Special Election in the proposed district of the City of TUSCOLA Crime Control and Prevention District, comprising the City of TUSCOLA, Texas, as prescribed by chapter 363 of the Texas Local Government, and chapter 321 of the Texas Tax Code, shall be held between the hours of seven o'clock a.m. (7:00 a.m.) and seven o'clock p.m. (7:00 p.m.) on the 10TH day of MAY, 2014.

## **SECTION 3**

### **Purpose of Election**

The purpose of the Special Election in the proposed district of the City of TUSCOLA Crime Control and Prevention District, comprising of the City of TUSCOLA, Texas, is to consider a ballot proposition to adopt a Crime Control and Prevention sales and use tax, at the rate of one-half of one percent dedicated to crime reduction programs.

## **SECTION 4**

### **Voting System and Ballot Proposition**

Voting on the date of the Election, and early voting therefore, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Texas Election Code, as amended, so as to permit the electors to vote "For" or "Against" the Proposition. Said ballots shall have printed therein such provisions, markings, and language as may be required by law, and the Proposition shall be set forth on said ballots in substantially the following form and language:

**SPECIAL ELECTION  
City of TUSCOLA Crime Control and Prevention District  
MAY 10TH, 2014**

**OFFICIAL BALLOT**

**PROPOSITION NO. 1**

**FOR** \_\_\_\_\_  
**AGAINST** \_\_\_\_\_

**"The creation of the City of TUSCOLA Crime Control and Prevention District dedicated to crime reduction programs and the adoption of a proposed local sales and use tax at a rate of one-half of one percent."**

**SECTION 5**

**Election Precincts; Polling Places**

That the Temporary Board of Directors of the proposed district does hereby designate Election Day polling locations for the voters in the proposed district of the City of TUSCOLA Crime Control and Prevention District. The Election Day polling locations are as follows: CITY HALL, 418 GRAHAM STREET, TUSCOLA, TX 79562

An Early Voting Ballot Board shall be created to process early voting results in accordance with Section 87.001 of the Texas Election Code. The Early Voting Ballot Board shall be made up of members appointed per the election contract with TAYLOR County Elections.

**SECTION 6**

**Early Voting; Location of Early Voting Polling Places**

That early voting shall be conducted by the TAYLOR County Elections. THE TAYLOR County Elections Administrator, is hereby appointed the Clerk of Early Voting, and the CITY HALL, 418 GRAHAM STREET, TUSCOLA, Texas, is hereby designated as the place for early voting by personal appearance for the election.

During the lawful early voting by personal appearance period (APRIL 28TH, 2014, through MAY 6, 2014), voters will be able to vote at CITY HALL, 418 GRAHAM STREET, TUSCOLA, TEXAS. The Early Voting Clerk shall keep such place for early voting open for early voting from 8:00 a.m. until 5:00 p.m., on each day during normal working hours of the Clerk's office, except Saturdays, Sundays, and official state holidays, except as otherwise provided. Moreover, additional early voting shall be held on MONDAY, MAY 5TH, 2014, AND TUESDAY, MAY 6TH, 2014 from 7:00 a.m. until 7:00 p.m.



## SECTION 7

### **Summary of Proposed Budget Plan and Crime Control Plan**

That pursuant to section 363.054(b)(5) of the Texas Local Government, summaries of the proposed Budget Plan and Crime Control Plan are as follows:

<b>FUND:</b>	<b>Crime Control and Prevention District</b>
<b>DEPARTMENT:</b>	<b>Police Services</b>
<b>DIVISION/SUBDIVISION:</b>	<b>Crime Control and Prevention District</b>
<b>FUNCTION:</b>	<b>Public Safety</b>

### **STRATEGY**

- 1) To enhance daily minimum staffing levels for police officers.
- 2) To reduce geographical response areas.
- 3) To mitigate police response times in accordance with the goals established by the Plan.
- 4) To strengthen crime fighting tools of the TUSCOLA Police Department through acquisition of equipment and new technology.
- 5) To enhance the recruitment of high quality police officers who serve the citizens of TUSCOLA.

### **REVENUE SUMMARY**

<b>OBJECT CATEGORIES</b>	<b>FY 2008-2009 ACTUAL REVENUES</b>	<b>FY 2009-2010 MODIFIED REVENUES</b>	<b>FY 2010-2011 PROJECTED REVENUES</b>	<b>FY 2011-2012 PROPOSED REVENUES</b>	<b>FY 2012-2013 PROPOSED REVENUES</b>	<b>FY 2013-2014 PROPOSED REVENUES</b>
Sales Tax	\$ 0 -	\$ 0 -	\$ 0 -	\$ 0 -	\$ 0 -	\$5,500.00

### **EXPENDITURE SUMMARY**

<b>OBJECT CATEGORIES</b>	<b>FY 2008-2009 ACTUAL EXPENSES</b>	<b>FY 2009-2010 MODIFIED BUDGET</b>	<b>FY 2010-2011 PROJECTED EXPENSES</b>	<b>FY 2011-2012 PROPOSED BUDGET</b>	<b>FY 2012-2013 PROPOSED BUDGET</b>	<b>FY 2013-2014 PROPOSED BUDGET</b>
Personnel Services						
Supplies & Materials						
Maintenance of Buildings, Structures						\$2500.00-
Land & Improvements						
Maintenance of Equipment & Machinery						
Contractual Services						\$3000.00-

Capital Outlay  
Internal Services

**TOTAL**

**\$5,500.00**

**ENDING BALANCE**

**\$ 0 \$ 0**

**\$ 0 \$ 0**

**\$ 0**

**\$ 0**

### **SECTION 8**

#### **Voting Qualification; Voting Materials**

That all registered, qualified voters within the proposed district of the City of TUSCOLA Crime Control and Prevention District shall be permitted to vote at the election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

### **SECTION 9**

#### **Compensation for Services**

That the Presiding Judge of the special election shall be paid in accordance with the TAYLOR County Joint Election Agreement.

### **SECTION 10**

#### **Notice**

That the Presiding Officer is hereby directed to give notice of the election by:

- (a) Consistent with section 363.056 of the Texas Local Government Code, publishing a substantial copy of this election order in a newspaper with general circulation in the proposed district once a week for two (2) consecutive weeks. The first publication notice must appear BETWEEN, APRIL 10<sup>TH</sup>, 2014 AND APRIL 30<sup>TH</sup>, 2014;
- (b) Filing with the District, a copy of the notice of the election;
- (c) Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the proposed district Board of Directors at least twenty-one (21) days before the election, by APRIL 18<sup>TH</sup>, 2014; and
- (d) Delivering notice of the election to the TAYLOR County Election Administrator not later than the 60<sup>th</sup> day before election day, or MARCH 11, 2014 .

### **SECTION 11**

#### **Governing Law and Qualified Voters**

That the elections shall be held in accordance with the Constitution of the State of Texas, the Texas Local Government Code, the Texas Election Code, and the Texas Tax Code.

### **SECTION 12**

#### **Severability Clause**

If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Order or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Order; and the Temporary Board of Directors hereby declares it would have passed such remaining portions of this Order despite such invalidity which remaining portions shall remain in full force and effect.

### **SECTION 13**

#### **Effective Date**

That this Order shall take effect from and after its passage.

**DULY PASSED AND APPROVED BY THE TEMPORARY BOARD OF DIRECTORS  
OF THE TUSCOLA CRIME CONTROL AND PREVENTION DISTRICT, BY A VOTE  
OF \_\_\_\_\_ TO \_\_\_\_\_, ON THIS THE 3RD DAY OF MARCH, 2014 .**