

**CITY OF SANTA FE, TEXAS  
ORDINANCE NO. 05-2021**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE, TEXAS, CALLING A SPECIAL ELECTION TO BE HELD WITHIN THE CITY ON SATURDAY, MAY 1, 2021, TO SUBMIT A PROPOSITION TO THE ELECTORS ON THE SOLE QUESTION OF WHETHER TO AUTHORIZE THE CITY OF SANTA FE, TEXAS, TO USE THE CURRENT ONE-HALF OF ONE PERCENT (1/2 CENT) LOCAL SALES AND USE TAX ORIGINALLY ADOPTED BY "PROPOSITION 1" ON MAY 5, 2001 FOR ECONOMIC DEVELOPMENT PROJECTS DESIGNED TO PROMOTE ANY NEW OR EXPANDED BUSINESS ENTERPRISES AND ANY OTHER PROJECTS AUTHORIZED UNDER THE LAW APPLICABLE TO A TYPE B CORPORATION CREATED UNDER SECTION 505.003, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, MAKING PROVISION FOR THE CONDUCT OF THE SPECIAL ELECTION; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, at a special election held on May 5, 2001 pursuant to Texas Local Government Code Section 505.251, the electors of the City of Santa Fe, Texas approved "Proposition 1" which adopted a local sales and use tax at the rate of one-half of one percent (1/2 cent) to be used exclusively for Section 4B economic development projects and administered by a Section 4B economic development corporation; and

**WHEREAS**, on or about July 12, 2001, the City of Santa Fe, Texas, approved by resolution the Articles of Incorporation creating the City of Santa Fe Section 4B Economic Development Corporation, which were filed with the Texas Secretary of State on July 26, 2001; and

**WHEREAS**, the City of Santa Fe, Texas created the City of Santa Fe Section 4B Economic Development Corporation to administer, monitor and use the one-half of one percent (1/2 cent) local sales and use tax in accordance with "Proposition 1" subject to the oversight of the City of Santa Fe, Texas; and

**WHEREAS**, "Proposition 1" authorized the City of Santa Fe, Texas, through the City of Santa Fe Section 4B Economic Development Corporation, to make expenditures of the one-half of one percent (1/2 cent) local sales and use tax for specific Section 4B economic development projects only which was limited to projects relating to "public works infrastructure improvements, specifically water/wastewater expansion; drainage, and streets and roads, including the maintenance and operating expenses for those projects development with economic development funds designed to promote new or expanded business enterprises, as authorized by Section 4B of Article 5190.6, V.T.C.s., as amended (The Development Corporation Act of 1979)"; and

**WHEREAS**, the combined rate of all sales and use taxes imposed by the City and other political subdivision of the State of Texas having territory in the City may not exceed two percent within the City, and the combined rate of all sales and use taxes imposed by the City and other political subdivisions of the State of Texas having territory in the City is currently two percent (2.0%); and

**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 a special election be held for the purpose of submitting a single proposition to the electors for the sole purpose of expanding the scope of Section 4B economic development projects that may be funded by the existing one-half of one percent (1/2 cent) local sales and use tax currently allocated to economic development projects so as to include any and all new or expanded business enterprises and any and all other projects authorized under the law applicable to a Type B Corporation created under Section 505.003, formerly referenced as Section 4B of Article 5190.6, V.T.C.S., as amended; and

**WHEREAS**, it is hereby officially found and determined that holding the hereinafter called special 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, Texas Government Code; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTA FE, TEXAS:**

**Section 1. Proposition.** 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. A special election shall be held in the City on Saturday, May 1, 2021, at which the following PROPOSITION shall be submitted in accordance with law:

### **PROPOSITION**

Without increasing the existing local sales and use tax rate imposed by the City of Santa Fe, Texas, authorize the City of Santa Fe, Texas, by and through the City's Section 4B economic development corporation known as the "City of Santa Fe Section 4B Economic Development Corporation", to use the existing one-half of one percent (1/2 cent) local sales and use tax, originally adopted by "Proposition 1" on May 5, 2001, for any economic development project authorized under the law applicable to a Type B corporation created under Section 505.003, Texas Local Government Code, as amended, including projects for the general promotion and development of new or expanded business enterprises, which may also include but is not limited to projects to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, projects required or suitable for use for

professional and amateur sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, 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 items that enhance any of those projects, as well as any and all costs associated with an authorized project in accordance with Texas Local Government Code Section 501.152, as well as administrative expenses, maintenance and operation expenses, promotional expenses, and the issuance of bonds for any of the above described scope of projects; all of which would result in no increase in the existing local sales and use tax rate imposed by the City of Santa Fe.

**Section 2. Ballot.** The official ballots for the special 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 1**

Without increasing the existing local sales and use tax rate imposed by the City of Santa Fe, Texas, authorize the City of Santa Fe, Texas, by and through the City's Section 4B economic development corporation known as the "City of Santa Fe Section 4B Economic Development Corporation", to use the existing one-half of one percent (1/2 cent) local sales and use tax, originally adopted by "Proposition 1" on May 5, 2001, for any economic development project authorized under the law applicable to a Type B corporation created under Section 505.003, Texas Local Government Code, as amended, including projects for the general promotion and development of new or expanded business enterprises, which may also include but is not limited to projects to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, projects required or suitable for use for professional and amateur sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, 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 items that enhance any of those projects, as well as any and all costs associated with an authorized project in accordance with Texas Local

Government Code Section 501.152, as well as administrative expenses, maintenance and operation expenses, promotional expenses, and the issuance of bonds for any of the above described scope of projects; all of which would result in no increase in the existing local sales and use tax rate imposed by the City of Santa Fe.

FOR

AGAINST

### **PROPUESTA 1**

Sin aumentar la tasa impositiva de ventas y uso local existente impuesta por la Ciudad de Santa Fe, Texas, autorizar a la ciudad de Santa Fe, Texas, por y a través de la Corporación de Desarrollo Económico de la Sección 4B de la Ciudad conocida como la "Corporación de Desarrollo Económico de la Sección 4B de la Ciudad de Santa Fe", utilizar la existente mitad del impuesto local de ventas y uso del uno por ciento (1/2 centavos), originalmente adoptado por la "Proposición 1" el 5 de Mayo de 2001, para cualquier proyecto de desarrollo económico autorizado bajo la ley aplicable a una corporación tipo B creada bajo la Sección 505.003, Código de Gobierno Local de Texas, en su forma enmendada, incluyendo proyectos para la promoción general y desarrollo de empresas nuevas o ampliadas, que también pueden incluir, entre otros, proyectos de suministro de instalaciones de seguridad pública, calles y carreteras, drenaje y mejoras relacionadas, demolición de estructuras existentes, mejoras generales de propiedad municipal, así como cualquier mejora o instalación que esté relacionada con cualquiera de esos proyectos y cualquier otro proyecto que promueva o desarrolle empresas nuevas o ampliadas, proyectos requeridos o adecuados para su uso para deportes profesionales y aficionados, atlético, entretenimiento, turismo, convenciones y eventos de parques públicos, incluyendo estadios, parques de pelota, auditorios, anfiteatros, salas de conciertos, centros de aprendizaje, parques e instalaciones de parques, mejoras de espacios abiertos, edificios municipales, museos, instalaciones de exposición, y tiendas relacionadas, restaurantes, concesiones y estacionamientos, instalaciones de transporte de áreas relacionadas, y carreteras relacionadas, calles e instalaciones de agua y alcantarillado, y otros artículos relacionados que mejoren cualquiera de esos proyectos, como así como todos y cada uno de los costos asociados con un proyecto autorizado de acuerdo con la Sección 501.152 del Código de Gobierno Local de Texas, así como gastos administrativos, gastos de mantenimiento y operación, gastos promocionales y la emisión de bonos para cualquiera de los alcances de los proyectos descritos anteriormente; todo lo cual no resultaría en aumento en la tasa impositiva de ventas y uso local existente impuesta por la Ciudad de Santa Fe.

PARA

CONTRA

**Section 3. Special Election.** The special election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on May 1, 2021, at the respective polling places designated by Galveston County in the Election Contract as set forth in Exhibit A hereto, which exhibit shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and the Code.

**Section 4. Early Voting.** Early voting shall be conducted by personal appearance at the locations set forth in Exhibit B hereto and during the period early voting is required or permitted by law, being from April 19, 2021 thru April 23, 2021, from 8:00 a.m. to 5:00 p.m., and being from April 26, 2021 thru April 27, 2021, from 7:00 a.m. to 7:00 p.m., which exhibit shall be modified to include additional or different early voting polling places, dates and times required to conform to the Election Contract and the Code.

Any elector who is entitled to vote an early ballot by personal appearance may do so at any Early Voting Polling Place listed in Exhibit B hereto. Applications for early voting by mail shall be sent to the following address:

Early Voting Clerk  
Attn.: Elections Division  
Post Office Box 17253  
Galveston, TX 77552-7253

**Section 5. Election Administration.** The election shall be administered by the Galveston County Elections Administration ("Galveston County") pursuant to the Contract for Joint Election Services between the City and Galveston County (the "Election Contract"). The City Manager is hereby authorized and directed to enter into such Election Contract with Galveston County and to execute such Election Agreement on behalf of the City. The persons to serve as officers to conduct said election and an early ballot board to process early voting results shall be appointed pursuant to the Election Contract.

**Section 6. Elector Qualification.** All resident, qualified electors of the City shall be entitled to vote at said special election.

**Section 7. Notice.** Notice of said special election shall be given by posting a substantial copy of this ordinance on the bulletin board use for posting notices of the meetings of the Council, not less than 21 days prior to the date set for said special election; and an election notice also shall be published 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 publication to be not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day prior to the date for said special election.

**Section 8. Conformity with Law.** In all respects said special election shall be conducted in accordance with the Code.

**Section 9. Effective Date.** This Ordinance shall be effective upon its adoption by the Council after two readings as required by Section 3.16 of the City Charter.

A first reading of this Ordinance occurred on the 14<sup>th</sup> day of January 2021.

A second reading of this Ordinance occurred on the 28<sup>th</sup> day of January 2021.

**PASSED, APPROVED AND EFFECTIVE** this 28<sup>th</sup> day of January 2021.

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Jason Tabor, Mayor

ATTEST:

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Janet L. Davis, City Secretary

**EXHIBIT A**  
**ELECTION DAY POLLING PLACES**

**EXHIBIT B**

**EARLY VOTING POLLING PLACES, DATES AND TIMES**