

COPY

ORDINANCE NO. 2003-5

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD ON MAY 03, 2003, REGARDING TWO PROPOSITIONS, ONE SUCH PROPOSITION TO AUTHORIZE A REDUCTION OF THE ECONOMIC DEVELOPMENT CORPORATION SALES AND USE TAX RATE HERETOFORE AUTHORIZED PURSUANT TO SECTION 4A, ARTICLE 5190.6, TEXAS REVISED CIVIL STATUTES (THE DEVELOPMENT CORPORATION ACT OF 1979), FROM ONE-HALF OF ONE PERCENT TO ONE-FOURTH OF ONE PERCENT, AND THE OTHER SUCH PROPOSITION TO AUTHORIZE THE IMPOSITION OF A ONE-FOURTH OF ONE PERCENT SALES AND USE TAX PURSUANT TO CHAPTER 327, TEXAS TAX CODE, TO PROVIDE REVENUES FOR MAINTENANCE AND REPAIR OF CITY STREETS.

* * * * *

WHEREAS, an election was held in the City of Beasley, Texas, on May 03, 2003, at which two propositions were submitted to the duly qualified, resident electors of the City for their action thereon, one such proposition to authorize a reduction of the Economic Development Corporation sales and use tax rate heretofore authorized pursuant to Section 4A, Article 5190.6, Texas Revised Civil Statutes (The Development Corporation Act of 1979), from one-half of one percent to one-fourth of one percent, and the other such proposition to authorize the imposition of a one-fourth of one percent sales and use tax pursuant to Chapter 327, Texas Tax Code, to provide revenues for maintenance and repair of City streets; and

WHEREAS, there were cast at said election 30 votes, of which number there were cast:

PROPOSITION NO. 1

FOR THE REDUCTION OF THE SALES AND USE TAX FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES TO THE RATE OF ONE-FOURTH OF ONE PERCENT, AS AUTHORIZED BY SECTION 4A, ARTICLE 5190.6, V.T.C.S., AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1976.....20 VOTES;

AGAINST THE REDUCTION OF THE SALES AND USE TAX FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES TO THE RATE OF ONE-FOURTH OF ONE PERCENT, AS AUTHORIZED BY SECTION 4A, ARTICLE 5190.6, V.T.C.S., AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1979).....10 VOTES;

MAJORITY FOR THE REDUCTION OF THE SALES AND USE TAX FOR THE PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES TO THE RATE OF ONE-FOURTH OF ONE PERCENT, AS AUTHORIZED BY SECTION 4A, ARTICLE 5190.6, V.T.C.S., AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1979).....20 VOTES.

PROPOSITION NO. 2

FOR THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF BEASLEY, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.....19 VOTES;

AGAINST THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF BEASLEY, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.....11 VOTES;

MAJORITY FOR THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF BEASLEY, TEXAS, AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.....19 VOTES;

and

WHEREAS, the above and foregoing totals are shown in the official election returns of said election heretofore submitted to the City Council and filed with the City Secretary; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The election held in the City of Beasley, Texas, on May 03, 2003,

which is more fully described in the preamble of this Ordinance, was called and notice thereof was given in accordance with law. Only qualified, resident electors of the City voted in the election. Returns of the election have been lawfully made by the proper officials.

Section 3. The election relating to the authority of City Council to reduce the sales and use tax for the promotion and development of new and expanded business enterprises to the rate of one-fourth of one percent, as authorized by Section 4A, Article 5190.6, V.T.C.S., as amended (The Development Corporation Act of 1979), as reflected in Proposition No. 1, has resulted as follows:

For the reduction of the sales and use tax for the promotion and development of new and expanded business enterprises to the rate of one-fourth of one percent, as authorized by Section 4A, Article 5190.6, V.T.C.S., as amended (The Development Corporation Act of 1979).

Section 4. The relating to the authority of City Council to adopt a local sales and use tax pursuant to Chapter 327, Texas Tax Code, at the rate of one-fourth of one percent, to provide revenue for maintenance and repair of municipal streets, as reflected in Proposition No. 2, has resulted as follows:

For the adoption of a local sales and use tax in the City of Beasley, Texas, at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets.

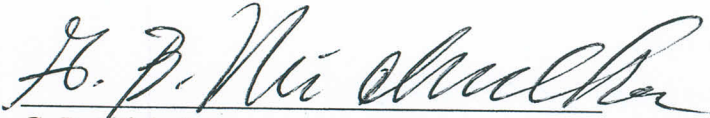
Section 5. It is hereby found and determined that the NOTICE OF MEETING relating to the meeting of the City Council at which this Ordinance was considered and the posting thereof, was proper and said notice and posting are hereby authorized, approved, resolved, ratified, and confirmed.

PASSED, APPROVED, and ADOPTED on this 6th day of May 2003.

A handwritten signature in cursive script that reads "Frances Smith". The signature is written in black ink and is positioned above a horizontal line.

Frances Smith
Mayor

ATTEST

A handwritten signature in cursive script that reads "G. B. Michulka". The signature is written in black ink and is positioned above a horizontal line.

G. B. Michulka
City Secretary

City of Beasley

COPY

P.O. Box 122 • 319 South 3rd Street
Beasley, Texas 77417
Tel/Fax (979) 387-2775

May 07, 2003

CERTIFIED MAIL #70001670 0002 6610 2622
RETURN RECEIPT REQUESTED

Mr. Gerard Washington
Revenue Account Division
State Comptroller's Office
111 E. 17th St.
Austin, TX 78774

Dear Mr. Washington:

The foregoing instrument, Ordinance 2003-5, is a true and correct copy of CANVASSING THE RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD ON MAY 03, 2003 IN BEASLEY, TEXAS, REGARDING REDUCTION OF ECONOMIC DEVELOPMENT CORPORATION SALES TAX AND PROVIDING REVENUE FOR STREET MAINTENANCE AND REPAIR.

The qualified voters of Beasley approved both propositions as follows:

Proposition No. 1 - Reduction of sales tax	20 For and 10 Against
Proposition No. 2 - Providing revenue for streets	19 For and 11 Against

We request that your office implement this new sales tax which will provide additional revenue towards maintenance and repair of our municipal streets.

Thank you for your assistance in this matter.

Sincerely,



Frances Smith
Mayor

Enclosure: Ordinance 2003-5