

P. O. No. 5523  
04/22/05 ts

ORDINANCE NO. 05-36

AN ORDINANCE AS IT PERTAINS TO THE CITY PROPOSITIONS AS TO WHETHER OR NOT THE EXISTING SECTION 4A SALES TAX SHOULD BE UTILIZED FOR VARIOUS CATEGORIES OF PROJECTS AS DESCRIBED IN SECTION 4B OF ARTICLE 5190.6, VERNON'S TEXAS CODE ANNOTATED

WHEREAS, the City Council ordered a public hearing to submit propositions to the public for comment, as per Article 5190.6 V.T.C.A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR, TEXAS:

Section 1. That the facts in the preamble are true and correct.

Section 2. That the City Council has received the comments of the citizens as to the proposed cost and impact of the project or category of projects as delineated in propositions one through eight in Exhibit "A", and will take due consideration thereof if the propositions attached hereto in Exhibit "A" are approved by the voters at the May 7, 2005 election, and when specific projects are being considered for funding by the City of Port Arthur Section 4A Economic Development Corporation.

Section 3. That a copy of the caption of this Ordinance be spread upon the Minutes of the City Council.

READ, ADOPTED and APPROVED this the 26<sup>th</sup> day of  
April A.D., 2005, at a Regular Council Meeting of  
the City Council of the City of Port Arthur, Texas, by the  
following vote: AYES: Mayor Ortiz;  
Councilmembers Hannah, Barker, Henderson  
Prince and Vinegal.  
NOES: None.

ATTEST:

Evangeline Green  
CITY SECRETARY

Cesar A. Ortiz  
MAYOR

APPROVED AS TO FORM:

Mont Sobala  
CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

Steve Fitzgibbons  
STEVE FITZGIBBONS, CITY MANAGER

## **EXHIBIT "A"**

### **PROPOSITION NO. ONE:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for professional and amateur (including children's) sports, and athletic purposes and events, including stadiums and ball parks, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities and related roads, streets, and water and sewer facilities, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

### **PROPOSITION NO. TWO:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for tourist and convention purposes and events including concert halls, 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, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. THREE:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for public park purposes and events including parks and park facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities and related roads, streets, and water and sewer facilities, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. FOUR:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized to promote or develop new or expanded business enterprises that create or retain primary jobs, including a project to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipality owned improvements as well as any improvements or facilities that are related to any of those projects and any other project that the Section 4A board in its discretion determines promotes or develops new or expanded business enterprises that create or

retain jobs, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. FIVE:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for the promotion of development and expansion of affordable housing as defined under by 42 U.S.C. Section 12745, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. SIX:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for the development or improvement of water supply facilities, including dams, transmission lines, well field developments, and other water supply alternatives, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. SEVEN:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for the development

and institution of water conservation programs, including incentives to install water-saving plumbing fixtures, educational programs, brush control programs, and programs to replace malfunctioning or leaking water lines and other water facilities, which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?

**PROPOSITION NO. EIGHT:**

Shall the existing Section 4A Sales and Use Tax within the City of Port Arthur be utilized for the cleanup of contaminated property which is a category of projects under Section 4B of Article 5190.6 Vernon's Texas Code Statutes?