



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 526

April 16, 2015

Whether communications relating to a measure election comply with section 255.003 of the Election Code. (AOR-594)

The Texas Ethics Commission has been asked to consider whether three separate communications relating to a measure election comply with section 255.003 of the Election Code. The requestor states that the City of Deer Park (hereinafter “the city”) ordered an election to be held on May 9, 2015, on the issue of whether the city should adopt a “Type B” economic development sales and use tax within the city at the rate of one-half of one percent, adopted for public park purposes and events and limited to certain types of projects.

The city prepared three separate communications to inform voters of the facts pertinent to the election, including: a newsletter to be distributed as an “independent mailer,” a poster to be displayed at city facilities and distributed with outgoing utility bills, and a document to be posted on the city’s social networking website, which are attached to this opinion as an [appendix](#) and labeled as “Exhibit A,” “Exhibit B,” and “Exhibit C,” respectively. The measure on the ballot is the following:

Shall the City Council of the City of Deer Park be authorized to adopt the Type B economic development sales and use tax within the City at the rate of one-half of one percent, authorized by chapters 501 and 505 of the Texas Local Government Code for public park purposes and events, and which is limited to the following list of projects and includes land, buildings, equipment, facilities, and improvements for such projects, and related improvements that enhance such projects: replacement of the restroom facilities in Dow Park with a new pavilion structure that includes a stage, restrooms, and a concession stand; renovation and expansion of the Community Center and Gym to include an indoor pool; expansion of the existing Maxwell Center and parking lot; renovation of baseball fields including but not limited to the Spencerview sports complex (Durant Fields); renovation of the girls softball facilities at the Youth Sports Complex; development of soccer fields; and the development of hike and bike trails?”

The city has also adopted a resolution that stated that the sales and use tax, if approved, will be limited to the projects described in the measure and that provided an estimate of the costs for each project.

Section 255.003 of the Election Code provides, in relevant part, as follows:

(a) An officer or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.

(b) Subsection (a) does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.

(b-1) An officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

- (1) the officer or employee knows is false; and
- (2) is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure.

(c) A person who violates Subsection (a) or (b-1) commits an offense. An offense under this section is a Class A misdemeanor.

Elec. Code § 255.003. A “measure” is a question or proposal submitted in an election for an expression of the voters’ will. *Id.* § 251.001(19).

The initial question in determining compliance with section 255.003 is whether any of the proposed communications constitute political advertising for purposes of section 255.003(a). Political advertising is defined by section 251.001(16) of the Election Code as follows:

“Political advertising” means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website.

Elec. Code § 251.001(16).

The critical question in determining whether one of the communications constitutes “political advertising” is whether it supports or opposes a measure. Whether a particular communication supports or opposes a measure is a fact question. A factor in determining whether a particular communication supports or opposes a measure is whether the communication provides information and discussion of the measure without promoting the outcome of the measure. Ethics Advisory Opinion No. 476 (2007).

Newsletter

The newsletter consists of four pages. The first page provides information about the proposed measure, including the measure as it would appear on the ballot in an election, the date of the election, and the manner in which the measure was placed on the ballot. The first page of the newsletter also lists the estimated costs for each project for which the funds acquired by the sales and use tax increase, if approved, would be used and provides the address of the city’s website for additional information. The second page contains various questions and answers regarding the measure, such as the rate of the proposed sales tax increase, the current sales tax rates of nearby cities, the operation and administration of sales tax collection, and projected revenue from the sales tax increase. The third page is a translation of the second page from English to Spanish. The fourth page includes the dates, times, and locations for voting in the election, in both English and Spanish.¹

The newsletter includes information beyond a factual description of a measure. However, in our opinion, the newsletter provides information and discussion of a measure without promoting the outcome of the measure and does not constitute political advertising as the term is defined in section 251.001(16) of the Election Code. Therefore, the use of public funds for the newsletter would not violate section 255.003(a) of the Election Code.

Poster and Social Networking Website Communication

The poster's content is substantively identical to the first page of the newsletter, and also includes the dates, times, and locations for voting in the election. The proposed communication for the city's social networking website is also substantively identical to the first page of the newsletter, but also provides specific directions for using the city's website to obtain additional information about the election.² In our opinion, the communications factually describe the purposes of a measure and do not advocate passage or defeat of the measure and do not constitute political advertising. Therefore, the use of public funds for the communications would not violate section 255.003(a) of the Election Code.

Section 255.003(b-1)

The remaining question in determining compliance under section 255.003 is whether using public funds to distribute the communications is permissible under section 255.003(b-1). In our opinion, the information provided in the communications is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure. Therefore, for the use of public funds to distribute the communications to be permissible under section 255.003(b-1), an officer or employee of the city authorizing the use may not do so knowing that the communications contain information that is false. Whether or not an officer or employee provides such authorization is a fact question that cannot be resolved in an advisory opinion. In our opinion, statements provided in the communications should be verified to ensure that they are not false.

SUMMARY

For purposes of section 255.003 of the Election Code, the attached communications are not political advertising and, therefore, public funds may be used to distribute the communications unless an officer or employee of the city authorizing such use of public funds knows that the communications contain false information.

¹ The newsletter also states that it is to be used for informational purposes and is not intended to advocate passage or failure of any issue on the ballot. This disclaimer does not, by itself, determine whether the newsletter constitutes political advertising.

² The poster and social networking website communication are in English only.



City of Deer Park General and Special Election - May 9, 2015 (Elecciones general y especiales de la Ciudad de Deer Park 9 de mayo de 2015)

Special Election — Type B Sales Tax Information

On February 26, 2015 the Deer Park City Council adopted Ordinance No. 3706 calling a special election on May 9, 2015 to submit a proposition on the question of the adoption of a Type B economic development sales and use tax for public park purposes and events at the rate of one-half of one percent. The ballot proposition will read as follows:

"Shall the City Council of the City of Deer Park be authorized to adopt the Type B economic development sales and use tax within the City at the rate of one-half of one percent, authorized by chapters 501 and 505 of the Texas Local Government Code for public park purposes and events, and which is limited to the following list of projects and includes land, buildings, equipment, facilities, and improvements for such projects, and related improvements that enhance such projects: replacement of the restroom facilities in Dow Park with a new pavilion structure that includes a stage, restrooms, and a concession stand; renovation and expansion of the Community Center and Gym to include an indoor pool; expansion of the existing Maxwell Center and parking lot; renovation of baseball fields including but not limited to the Spencerview sports complex (Durant Fields); renovation of the girls softball facilities at the Youth Sports Complex; development of soccer fields; and the development of hike and bike trails?"

Then, on March 3, 2015, the Council adopted Resolution No. 2015-06 establishing financial parameters for the projects identified in Ordinance No. 3706. The costs for the construction, renovation, acquisition, equipment and improvement of the projects shall not exceed \$20,000,000, exclusive of the costs of financing such projects, and such costs are currently estimated to be as follows:

- a. \$1,500,000 for the replacement of the restroom facilities in Dow Park with a new pavilion structure that includes a stage, restrooms, and a concession stand;
- b. \$6,000,000 for the renovation and expansion of the Community Center and Gym to include an indoor pool;
- c. \$2,000,000 for the expansion of the existing Maxwell Center and parking lot;
- d. \$3,000,000 for the renovation of baseball fields including but not limited to the Spencerview Sports Complex (Durant Fields);
- e. \$3,000,000 for the renovation of the girls softball facilities at the Youth Sports Complex;
- f. \$4,000,000 for the development of soccer fields; and
- g. \$500,000 for the development of hike and bike trails.

For more information, visit the City's
website at www.deerparktx.gov.

This document is to be used for informational purposes and is not intended to advocate passage or failure of any issue on the ballot.

Elección Especial — Información sobre el impuesto de ventas Tipo B

El 26 de febrero de 2015 el Consejo Municipal de Deer Park adoptó la Ordenanza Nro. 3706 para convocar una elección especial el 9 de mayo de 2015 a fin de presentar una proposición sobre la pregunta de la adopción de un impuesto de ventas y uso Tipo B para desarrollo económico para los parques públicos y eventos a una tasa de la mitad del uno por ciento. La proposición en la boleta de votación expresará lo siguiente:

"¿Deberá se autorizado el Consejo Municipal de la Ciudad de Deer Park para adoptar el impuesto de ventas y uso Tipo B para desarrollo económico dentro de la Ciudad a una tasa de la mitad del uno por ciento, el cual es autorizado por los capítulos 501 y 505 del Código de Gobierno Local de Texas para propósitos de parques públicos y eventos, y el cual está limitado a la siguiente lista de proyectos, e incluye los terrenos, edificios, equipos, instalaciones y mejoras de tales proyectos y las mejoras relacionadas que mejoran tales proyectos: reemplazar las instalaciones de baños en Dow Park con una nueva estructura de pabellón que incluya escenario, baños y puestos de concesiones; la renovación y ampliación del Centro Comunitario y Gimnasio para incluir una piscina interior; la ampliación del actual centro Maxwell Center y del estacionamiento; la renovación de campos de béisbol, incluido el complejo deportivo Spencerview (Durant Fields), pero no limitándose a este; la renovación de las instalaciones de softbol de niñas en el complejo deportivo Youth Sports Complex; el desarrollo de campos de fútbol; y el desarrollo de senderos para caminatas y ciclistas?"

Luego, el 3 de marzo de 2015, el Consejo adoptó la Resolución Nro. 2015-06 que establece los parámetros financieros para los proyectos identificados en la Ordenanza Nro. 3706. Los costos de construcción, renovación, adquisición, equipamiento y mejora de los proyectos no deben exceder de \$20,000,000, sin contar los costos del financiamiento de tales proyectos, y tales costos actualmente se estiman como se describe a continuación:

- a. \$1,500,000 para reemplazar las instalaciones de los baños en Dow Park con una nueva estructura de pabellón que incluya escenario, baños y puestos de concesiones;
- b. \$6,000,000 para la renovación y ampliación del Centro Comunitario y Gimnasio para incluir una piscina interior;
- c. \$2,000,000 la ampliación del actual centro Maxwell Center y del estacionamiento;
- d. \$3,000,000 para la renovación de campos de béisbol, incluido el complejo deportivo Spencerview (Durant Fields), pero no limitándose a este;
- e. 3,000,000 para la renovación de las instalaciones de softbol de niñas en el complejo deportivo Youth Sports Complex;
- f. \$4,000,000 para el desarrollo de campos de fútbol; y
- g. \$500,000 para el desarrollo de senderos para caminatas y ciclistas

Para más información, visite el sitio
Web de la Ciudad www.deerparktx.gov.

Este documento es para uso informativo solamente y no tiene la intención de favorecer la aprobación o no de ningún asunto en la boleta.

The following set of questions and answers provide additional information regarding sales tax and Type B Sales Tax Elections.

Q: What is the "Type B" sales tax?

A: It is a dedicated economic development sales and use tax that may be imposed by the City for public park purposes and events if approved by the voters.

Q: What is the proposed sales tax rate for the Type B sales tax?

A: One-half (½) of one percent.

Q: What is the current sales tax rate in Deer Park and which taxing entities receive a portion of the sales tax?

A: The current total sales tax rate in the city limits of Deer Park is 7.75%. This consists of: State of Texas (6.25%), City of Deer Park (1.00%), Crime Control Prevention District (0.25%) and Fire Control, Prevention, and Emergency Medical Services District (0.25%).

Q: What is the maximum sales tax rate that can be charged in any city?

A: 8.25%

Q: What are the current sales tax rates of other cities in the area?

A: Pasadena	8.25%
Houston	8.25%
South Houston	8.25%
Baytown	8.25%
La Porte	8.25%

Q: What is taxable?

A: Texas imposes a state sales tax on all retail sales, leases and rentals of most goods, as well as taxable services. Texas cities, counties, transit authorities and special purpose districts have the option of imposing an additional local sales tax for a combined state and local tax rate of up to 8 1/4% (.0825). For more information, visit the "Sales and Use Tax" page on the Texas Comptroller's Web site, <http://www.window.state.tx.us/taxinfo/sales/>.

Q: What are some examples of items that are non-taxable?

A: Over-the-counter drugs and medicines, vitamins and minerals, and nutritional supplements are non-taxable. Also, while some items found at a grocery or convenience store are taxable, some items (such as milk, bread, eggs, meat, etc.) at these establishments are non-taxable. The Texas Comptroller of Public Accounts publication entitled

"Grocery and Convenience Stores: Taxable and Nontaxable Sales" gives examples of taxable and non-taxable items typically found at these locations. View this publication online at http://www.window.state.tx.us/taxinfo/taxpubs/tx96_280.pdf.

Q: Is "retail trade" the source of the majority of sales tax collections in Deer Park?

A: No. While retail trade is the largest single category it does not account for the majority of sales tax collections in Deer Park. In 2013, the last full calendar year the data is available, the breakdown is as follows:

Retail Trade	\$151,573,534	29.58%
Wholesale Trade	\$127,199,575	24.82%
Manufacturing	\$70,009,909	13.66%
Accommodation / Food Services.	\$51,838,815	10.12%
Construction	\$38,651,784	7.54%
Real Estate / Rental / Leasing	\$27,201,991	5.31%
All Other	<u>\$45,986,695</u>	8.97%
Total	\$512,462,303	100.0%

Q: Who administers and oversees the Type B sales tax?

A: If a Type B sales tax is adopted, the revenues are administered by a non-profit corporation appointed by city council. The non-profit corporation determines which projects to fund, with city council retaining authority to approve all programs and expenditures of the corporation.

Q: How many members serve on the board of directors of a Type B corporation?

A: Seven (7) directors serve on a Type B board.

Q: How long is the term of a Type B corporation director?

A: Members of a Type B corporation serve a two (2) year term.

Q: Must a member of a Type B corporation be a resident of Deer Park?

A: Yes.

Q: Can City Council remove the directors of a Type B corporation?

A: Yes, directors serve at the pleasure

of city council and may be removed by city council at any time without cause.

Q: Are directors of a Type B corporation paid a salary?

A: State law provides that the directors serve without compensation but must be reimbursed for actual expenses.

Q: Are board meetings of a Type B board subject to the Open Meeting Act?

A: Yes. Further, all meetings of a Type B Board must occur within the city limits of Deer Park.

Q: Must Type B corporations conduct a public hearing prior to funding Type B projects?

A: A Type B corporation must hold at least one public hearing on a project. Additionally, the Type B corporation must obtain city council approval of the expenditure.

Q: If approved on May 9, when will the tax rate become effective and when would the city receive its first payment?

A: If approved on May 9, the tax would become effective on October 1, 2015 and the City would receive its first payment in December 2015.

Q: Who receives the Type B sales tax proceeds?

A: If a Type B sales tax is effective, the sales tax is remitted to the State Comptroller who then remits the Type B sales tax proceeds to the city. The city, upon receiving its local sales tax allotment from the Comptroller, must remit the sales tax to the Type B corporation.

Q: How much revenue is the Type B sales tax projected to generate annually?

A: It is estimated that the Type B sales tax would generate approximately \$2.3 million for a full year of collections. If the tax is approved in May 2015, the City will receive its first Type B sales tax payment in December. Since the City's fiscal year runs from October 1-September 30, this will result in only ten (10) months of sales tax collections in FY 2015-16, which is projected to be approximately \$1,900,000. It should be noted that the actual collections could be more or less than these projections, depending on taxable sales in Deer Park.

Las siguientes preguntas y respuestas proporcionan información adicional con respecto a los impuestos de ventas y Elecciones de impuestos de ventas Tipo B.

P: ¿Qué es el impuesto de ventas "Tipo B"?

Si los votantes lo aprueban, es un impuesto de ventas y uso dedicado al desarrollo económico que la Ciudad puede aplicar para parques públicos y eventos.

P: ¿Cuál es la tasa propuesta del impuesto de ventas para el impuesto de ventas Tipo B?

R: La mitad (½) del uno por ciento.

P: ¿Cuál es la tasa actual del impuesto de ventas en Deer Park y qué entidades gravables reciben una porción del impuesto de ventas?

R: La tasa actual del impuesto de ventas total en los límites de la ciudad de Deer Park es 7.75%. Esto consiste de: Estado de Texas (6.25%), Ciudad de Deer Park (1.00%), Distrito de Control y Prevención de Crimen (0.25%) y Distrito de Control y Prevención de Incendios y Servicios Médicos de Emergencia (0.25%).

P: ¿Cuál es la tasa máxima del impuesto de ventas que se puede cargar en cualquier ciudad?

R: 8.25%

P: ¿Cuáles son las tasas actuales del impuesto de ventas de otras ciudades del área?

A: Pasadena	8.25%
Houston	8.25%
South Houston	8.25%
Baytown	8.25%
La Porte	8.25%

P: ¿Qué puede ser gravado?

Texas aplica un impuesto de ventas estatal sobre todas las ventas minoristas, arrendamientos y alquileres de la mayoría de los productos, además de servicios gravables. Las ciudades, condados, autoridades de tránsito y distritos con fines especiales de Texas cuentan con la opción de aplicar un impuesto de ventas local adicional a una tasa de impuestos combinada estatal y local de hasta 8 1/4% (.0825). Para más información, visite la página "Sales and Use Tax" (impuesto de ventas y uso) en el sitio web de Contraloría de Texas, <http://www.window.state.tx.us/taxinfo/sales/>.

P: ¿Cuáles son algunos ejemplos de artículos que no son gravables?

R: Los fármacos y medicinas que no requiere receta, vitaminas y minerales y suplementos nutritivos no son gravables. Además, aunque algunos artículos que se encuentran en un supermercado o tienda de conveniencia son gravables, algunos artículos (como leche, pan, huevos, carne, etc.) en estos estableci-

mientos no son gravables. La publicación del Controlador de Cuentas Públicas de Texas titulada "Supermercados y tiendas de conveniencia: ventas gravables y no gravables" da ejemplos de artículos gravables y no gravables que generalmente se encuentran en estos lugares. Consulte esta publicación en http://www.window.state.tx.us/taxinfo/taxpubs/tx96_280.pdf.

P: ¿Es el "comercio al por menor" la fuente de la mayoría de las recaudaciones del impuesto de ventas de Deer Park?

R: No. Aunque el comercio al por menor es la categoría más grande, no es responsable de la mayoría de las recaudaciones del impuesto de ventas en Deer Park. En 2013, el último año calendario para el que se tienen disponibles los datos, el desglose es el siguiente:

Comercio minorista	\$151,573,534	29.58%
Comercio mayorista	\$127,199,575	24.82%
Manufactura	\$70,009,909	13.66%
Alojamiento / Servicios de comida.	\$51,838,815	10.12%
Construcción	\$38,651,784	7.54%
Bienes raíces / Alquiler / Arrendamiento	\$27,201,991	5.31%
Todas las demás	<u>\$45,986,695</u>	8.97%
Total	\$512,462,303	100.0%

P: ¿Quién administra y supervisa el impuesto de ventas Tipo B?

R: Si el impuesto de ventas Tipo B es adoptado, los ingresos serán administrados por una corporación sin fines de lucro designada por el consejo municipal. La corporación sin fines de lucro determina qué proyectos financiar, reteniendo el consejo municipal la autoridad para aprobar todos los programas y gastos de la corporación.

P: ¿Cuántos miembros brindan servicio en la junta directiva de una corporación Tipo B?

R: Siete (7) directores brindan sus servicios en la junta Tipo B.

P: ¿Cuánto dura el término de los directores de una corporación Tipo B?

R: Los miembros de la corporación Tipo B brindan su servicio un término de dos (2) años.

P: ¿Debe un miembro de la corporación Tipo B ser residente de Deer Park?

R: Sí.

P: ¿Puede el Consejo Municipal sacar a los directores de una corporación Tipo B?

R: Sí, los directores brindan sus servicios con autorización del consejo municipal y éste puede sacarlos en cualquier momento sin causa alguna.

P: ¿Se paga un salario a los directores de la corporación Tipo B?

R: La ley del Estado estipula que los directores brindan servicios sin compensación, pero se les debe reembolsar por los gastos reales.

P: ¿Están las asambleas del consejo de una junta Tipo B sujetas a la Ley de Asambleas Públicas?

R: Sí. Además, todas las asambleas de la Junta Tipo B deben efectuarse dentro de los límites de la ciudad de Deer Park.

P: ¿Deben las corporaciones Tipo B llevar a cabo una audiencia pública para financiar proyectos Tipo B?

R: Una corporación Tipo B debe celebrar por lo menos una audiencia pública de un proyecto. Adicionalmente, la corporación Tipo B debe obtener la aprobación del consejo municipal del gasto.

P: Si se aprueba el 14 de mayo, ¿cuándo entrará en vigor la tasa de impuestos y cuándo recibiría la ciudad su primer pago?

R: Si se aprueba el 14 de mayo, el impuesto entraría en vigor el 1 de octubre de 2011 y la Ciudad recibiría su primer pago en diciembre de 2011.

P: ¿Quién recibe las ganancias del impuesto de ventas Tipo B?

R: Si el impuesto de ventas Tipo B entra en vigor, el impuesto de ventas se remite al Controlador del Estado, quien a su vez remite los ingresos del impuesto de ventas Tipo B a la ciudad. La ciudad, al recibir su asignación del impuesto de ventas local del Controlador, debe remitir el impuesto de ventas a la corporación Tipo B.

P: ¿Cuántos ingresos se proyecta que se generen anualmente del impuesto de ventas Tipo B?

R: Se estima que el impuesto de ventas Tipo B generaría aproximadamente \$2.3 millones de dólares en un año completo de recaudaciones. Si el impuesto se aprueba en mayo de 2015, la Ciudad recibirá su primer pago del impuesto de ventas Tipo B en diciembre. Dado que el año fiscal de la Ciudad corre del 1 de octubre al 30 de septiembre, esto dará como resultado sólo diez (10) meses de las recaudaciones del impuesto de ventas del año fiscal 2015-2016, lo cual se estima que será aproximadamente \$1,900,000. Se debe observar que las recaudaciones reales podrían ser más o menos que estas estimaciones, dependiendo del impuesto de ventas en Deer Park.



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To view this information and sample ballots online, visit the City's website at www.deerparktx.gov.
Para ver esta información y boletas de muestra en línea, visite el sitio Web de la Ciudad en www.deerparktx.gov.



City of Deer Park General and Special Election - May 9, 2015

This year's elections will be held on Saturday, May 9, 2015 at the Deer Park Community Center located at 610 East San Augustine Street.

Early Voting

City Secretary's office at City Hall -
710 East San Augustine Street
April 27-28 from 7:00 a.m. to 7:00 p.m.
April 29-30, May 1, 4, 5
8:00 a.m. to 5:00 p.m.

Election Day

Deer Park Community Center
610 East San Augustine Street
May 9 - 7:00 a.m. to 7:00 p.m.

General Election

**Vote for none
or one**
Mayor:
Jerry Mouton, Jr.
Unopposed

**Vote for none
or one**
Council Position 1:
Sherry Garrison
Unopposed

**Vote for none
or one**
Council Position 2:
Thane Harrison
Shelley Stokes
Betty Lemley

**Vote for none
or one**
Council Position 3:
Gerald Cothran
Tommy Ginn

Special Election

Vote for or against

Type B Economic Development: One-half (1/2) of one percent sales and use tax

Elecciones general y especiales de la Ciudad de Deer Park - 9 de mayo de 2015

Las elecciones de este año se llevarán a cabo el sábado 9 de mayo de 2015 en Deer Park Community Center ubicado en 610 East San Augustine Street.

Votación anticipada

Oficina de la Secretaria de la Ciudad
en City Hall - 710 East San Augustine Street
27 y 28 de abril - 7:00 a.m. a 7:00 p.m.
29 y 30 de abril y 1, 4, y 5 de mayo
8:00 a.m. a 5:00 p.m.

Día de Elección

Deer Park Community Center
610 East San Augustine Street
9 de mayo - 7:00 a.m. a 7:00 p.m.

Elección General

**Vote por uno
o ninguno**
Alcalde:
Jerry Mouton, Jr.
Sin oponentes

**Vote por uno
o ninguno**
Consejo, Posición 1:
Sherry Garrison
Sin oponentes

**Vote por uno
o ninguno**
Consejo, Posición 2:
Thane Harrison
Shelley Stokes
Betty Lemley

**Vote por uno
o ninguno**
Consejo, Posición 3:
Gerald Cothran
Tommy Ginn

Elección Especial

Vote a favor o en contra

Desarrollo Económico Tipo B: Impuesto de ventas y uso de la mitad (1/2) del uno por ciento

Special Election for Type B Economic Development Sales and Use Tax Proposition - May 9, 2015

Early Voting

City Secretary's office at City Hall -
710 East San Augustine Street
April 27-28 from 7:00 a.m. to 7:00 p.m.
April 29-30, May 1, 4, 5
8:00 a.m. to 5:00 p.m.

Election Day

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610 East San Augustine Street
Saturday, May 9
7:00 a.m. to 7:00 p.m.

On February 26, 2015 the Deer Park City Council adopted Ordinance No. 3706 calling a special election on May 9, 2015 to submit a proposition on the question of the adoption of a Type B economic development sales and use tax for public park purposes and events at the rate of one-half of one percent. The ballot proposition will read as follows:

"Shall the City Council of the City of Deer Park be authorized to adopt the Type B economic development sales and use tax within the City at the rate of one-half of one percent, authorized by chapters 501 and 505 of the Texas Local Government Code for public park purposes and events, and which is limited to the following list of projects and includes land, buildings, equipment, facilities, and improvements for such projects, and related improvements that enhance such projects: replacement of the restroom facilities in Dow Park with a new pavilion structure that includes a stage, restrooms, and a concession stand; renovation and expansion of the Community Center and Gym to include an indoor pool; expansion of the existing Maxwell Center and parking lot; renovation of baseball fields including but not limited to the Spencerview sports complex (Durant Fields); renovation of the girls softball facilities at the Youth Sports Complex; development of soccer fields; and the development of hike and bike trails?"

Then, on March 3, 2015, the Council adopted Resolution No. 2015-06 establishing financial parameters for the projects identified in Ordinance No. 3706. The costs for the construction, renovation, acquisition, equipment and improvement of the projects shall not exceed \$20,000,000, exclusive of the costs of financing such projects, and such costs are currently estimated to be as follows:

- a. \$1,500,000 for the replacement of the restroom facilities in Dow Park with a new pavilion structure that includes a stage, restrooms, and a concession stand;
- b. \$6,000,000 for the renovation and expansion of the Community Center and Gym to include an indoor pool;
- c. \$2,000,000 for the expansion of the existing Maxwell Center and parking lot;
- d. \$3,000,000 for the renovation of baseball fields including but not limited to the Spencerview Sports Complex (Durant Fields);
- e. \$3,000,000 for the renovation of the girls softball facilities at the Youth Sports Complex;
- f. \$4,000,000 for the development of soccer fields; and
- g. \$500,000 for the development of hike and bike trails.



For more information, visit the City of Deer Park
Web site, www.deerparktx.gov.

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