

ORDER FOR ELECTION TO BE HELD MAY 4, 2019 ON THE PROPOSITION OF AUTHORIZING A ONE PERCENT (1%) SALES TAX IN HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 PURSUANT TO HEALTH & SAFETY CODE §775.0751 AND §775.0752

WHEREAS, HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 (the "District") operates pursuant to Texas Constitution, Article III, § 48-e, and Chapter 775, Health & Safety Code; and

WHEREAS, the District is a Harris County District and is therefore governed by an elected Board of Emergency Services Commissioners under Chapter 775, Health & Safety Code; and

WHEREAS, §775.0345, Health & Safety Code, requires that such Election be held in conformity with § 41.001, of the Texas Election Code, providing for Uniform Election Dates; and

WHEREAS, §775.0751, Health & Safety Code, provides that the District may adopt a sales and use tax at an election held as provided by §775.0752; and

WHEREAS, the District may impose the tax at a rate from one-eighth of one percent to two percent in increments of one-eighth of one percent; and

WHEREAS, the District may not adopt a tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the District and other political subdivisions of this state having territory in the District would exceed two percent at any location in the District; and

WHEREAS, there is contained in the District certain territories - being those territories contained in certain municipal utility districts (MUDs), water conservation improvements districts (WCIDs) or other utility or improvement districts (UDs) all or portions of which have been annexed by the City of Houston for limited purposes pursuant to Article 43 of the Texas Local Government Code (herein referred to as the "City of Houston limited purpose annexation areas") - whereby a one percent (1%) sales and use tax has been imposed by the City of Houston pursuant to various Strategic Partnership Agreements executed with those certain MUDs, WCIDs and UD's affecting said City of Houston limited purpose annexation areas, and other improvements districts whereby a one percent (1%) sales and use tax has been imposed, and where there is also imposed a METRO sales and use tax of one percent; and

WHEREAS, the District Board of ESD Commissioners finds that it would be in the best interests of the District and the residents and commercial interests situated in the District to afford the eligible voters within the District the opportunity to determine whether the District should impose a sales tax at a rate of one percent, **excluding any areas** where there currently exists a 2% local sales and use tax; and

WHEREAS, Health & Safety Code, §775.0752 and Tax Code, §323.403, requires that such Election be held on the next uniform election day not less than 30 days after the day on which the order calling the election was passed,

WHEREAS, the next uniform date for an election called under such circumstances is May 4, 2019,

NOW, THEREFORE, IT IS HEREBY ORDERED that an Election be held in Harris County Emergency Services District No. 13 on Saturday, May 4, 2019, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

"To authorize the adoption of a local sales and use tax in Harris County Emergency Services District No. 13 at the rate of one percent."

IT IS FURTHER ORDERED that:

1. The ballot for the Sales Tax Election shall provide for voting "for" or "against" the above stated proposition. A majority of the votes cast either "for" or "against" the proposition shall determine whether the proposition is adopted. A vote "for" shall mean a vote in favor of the proposition and a vote "against" shall mean a vote against the proposition.

2. The Election shall be held within the designated Harris County Election Precincts wholly or partially located within the District.

3. Only persons qualified to vote within the geographic boundaries of Harris County Emergency Services District No. 13, **excluding any areas** where there currently exists a 2% local sales and use tax, shall be allowed to vote in the Harris County Emergency Services District No. 13 Election and each voter shall vote at the Polling Place designated by Order of Harris County Emergency Services District No. 13.

4. The voting shall be by electronic device (Hart 6.2.1 system) as certified by Texas Secretary of State, April 30, 2009.

5. **ANGELA HAZLEGROVE** is hereby designated as the Early Voting Clerk for the Election. Early voting shall be conducted from April 22, 2019 (the date which represents the earliest date on which early voting may begin) through April 30, 2019 (the date which represents the last day on which early voting may be performed). As ordered by the District Board of Emergency Services Commissioners, the location of main early voting place is designated as follows:

**9:00 a.m. – 5:00 p.m., Cypress Creek VFD Station 22
11900 Cypress N. Houston Road, Cypress, Texas 77429**

Except as otherwise provided below, there shall be no early voting on any Saturday or Sunday or on any official national or state holiday, except as follows: **Saturday, April 27, 2019 from 9:00 A.M. to 3:00 P.M.**

6. For the use of those voters in the District who are entitled by law to vote early by mail, the Early Voting Clerk above named shall receive applications for early voting ballots to be voted by mail in accordance with the Texas Election Code. For the use of those voters who are entitled by law to vote an early voting ballot by mail, the District shall provide each voter with a paper ballot and instructions to make a mark on the paper ballot.

7. Ballot applications and ballots voted shall be sent to the Early Voting Clerk at Cypress Creek Volunteer Fire Department, Administration Building, 11900 Cypress N. Houston Road, Cypress, Texas 77429. There shall be no provision for telephonic facsimile transmission of ballot applications. The ballot applications must be received by April 23, 2019, at 5:00 p.m.


8. The following concurrent and subsequent Orders, among other Orders, may be made by the District to facilitate the Election: Order Approving and Appointing an Agent; Order Approving a Contract with Hart Elections; Order Establishing And Designating Election Precincts And Polling Places; Order Appointing Presiding Election Judge(s); Order Appointing Early Voting Ballot Board; Order Appointing An Early Voting Clerk; Order Establishing And Designating A Polling Place.

9. In accordance with all applicable Federal and State law, there shall be provided Spanish translation of the ballot as well as other applicable election materials.

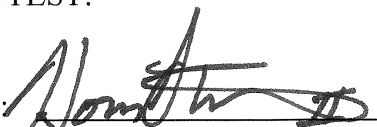
10. This Order constitutes the Election Order of Harris County Emergency Services District No. 13 Election to conduct an election on the proposition "To authorize the adoption of a local sales and use tax in Harris County Emergency Services District No. 13 at the rate of one percent." The Notice of the Election shall be prepared in accordance with the law and shall be given by publication of the Notice of Election along with the Order designating the Voting Precincts and Polling Places for the Election. Such publication shall be made one time in a daily newspaper of general circulation within the geographic boundaries of the District, said publication to be made not earlier than the 30th day nor later than the 10th day before the Election Date. Further, a copy of such Notice shall, not later than the 21st day before the Election Date, be posted on the bulletin board or other place conspicuous to the public used for posting Notices of the meetings of the District Board of ESD Commissioners and a copy shall be filed with the County Clerk of Harris County, Texas. After publication, the District Board of ESD Commissioners shall retain a copy of the published Notice that contains the name of the newspaper in which it was published and the date of publication.

ADOPTED at Open Meeting this the 28th day of January 2019, by a vote of 4 to 0.

**HARRIS COUNTY EMERGENCY SERVICES
DISTRICT NO. 13**

By: 
F. Ben Henderson
President

ATTEST:

By: 
Homer Stevens, II
Secretary