

ORDER FOR ELECTION TO BE HELD MAY 4, 2024 ON THE PROPOSITION OF IMPOSING A SALES AND USE TAX IN ORANGE COUNTY EMERGENCY SERVICES DISTRICT NO. 1 PURSUANT TO HEALTH & SAFETY CODE §775.0751 AND §775.0752

WHEREAS, ORANGE COUNTY EMERGENCY SERVICES DISTRICT NO. 1 (the "District") operates pursuant to Texas Constitution, Article III, § 48-e, and Chapter 775, Health & Safety Code; and

WHEREAS, §775.0751, Health & Safety Code, provides that the District may increase the rate of 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 impose 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 political subdivisions which overlap portions of the District - including but not limited to the City of Vidor - whereby a local sales and use tax has been imposed in addition to the County's existing one-half percent; and

WHEREAS, the District Board of 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 adopt a sales and use tax at a rate not to exceed one and one-half percent (1.50%) in any area of the District, thereby **excluding any areas** where there currently exists a two percent local sales and use tax from the application of the District's increased sales and use tax rate; 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, 2024,

NOW, THEREFORE, IT IS HEREBY ORDERED that an Election be held in Orange County Emergency Services District No. 1 on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

"The adoption of a local sales and use tax in Orange County Emergency Services District No. 1 at a rate not to exceed one and one-half percent (1.50%) in any location in the district."

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 will be held within the Election Precincts and at the Polling Places designated by Order of Orange County for the Orange County elections scheduled for May 4, 2024, subject to any such changes as may be made under the authority of such Order.

3. Only persons qualified to vote within the geographic boundaries of Orange County Emergency Services District No. 1 shall be allowed to vote in the Orange County Emergency Services District No. 1 Election and each voter shall vote at the Polling Place designated by Order of Orange County for the Orange County elections.

4. The voting in the District's Election Precincts shall utilize a State of Texas certified voting system provided by Orange County. The proposition shall appear on the ballot in the exact verbiage and format as set forth above, and as further required by other law. The proposition further shall appear in such a manner that each voter may cast one vote either "for" or "against" the proposition.

(a) The Voting System shall be utilized pursuant to an Election Services Contract with the Elections Office of the Orange County Clerk's Office.

(b) The District may contract with Orange County Election's office for the County Election's Office to conduct the District's election hereunder pursuant to a mutually agreeable interlocal agreement.

5. **Donna Alford**, Orange County Elections Administrator is hereby designated as the Early Voting Clerk for the Election. Early voting shall be conducted in such like manner and in accordance with the applicable early voting provisions of the Texas Election Code and shall be conducted on from April 22, 2024 (the date which represents the earliest date on which early voting may begin) through April 30, 2024 (the date which represents the last day on which early voting may be performed) in accordance and at the locations designated by the Orange County Elections Department. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows: 123 S. 6th Street, Orange, Texas 77630. The ballot applications must be received by the Orange County Elections Administrator by April 23, 2024 at 5:00 p.m. The location of main early voting place is designated as follows:

Orange Public Library 220 N 5th Street, Orange, Texas

Days/Hours: In conformity with the Days and hours established by Orange County Elections Administrator/Voter Registrar for the Orange County Elections. See Exhibit A - Early Voting Polling Locations and Times, attached.

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. 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 Orange County 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.

8. 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.

9. To the fullest extent allowed by law, the District delegates election duties to the Orange County Elections office for the conduct of the election and storage of documents related to the election.

10. This Order constitutes the Election Order of Orange County Emergency Services District No. 1 Election to conduct an election on the proposition "The adoption of an increased local sales and use tax in Orange County Emergency Services District No. 1 at a rate not to exceed one and one-half percent in any location in the district." 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, as required by the Texas Election Code. Further, a copy of such Notice shall 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, a copy shall be filed with the County Clerk of Orange County, and a copy of the Notice shall be posted on the internet website of the District as required by law. 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.

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ADOPTED at Open Meeting this the 13th day of February 2024, by a vote of 4
to 0.

ATTEST:

**ORANGE COUNTY EMERGENCY
SERVICES DISTRICT NO. 1**

By: Nelda Nash
Nelda Nash
District Secretary

By: Wyatt Boyett
Wyatt Boyett
District President

Exhibit A – Early Voting Times and Locations
(Subject to revision)

The dates, times, locations for the order of election:

April 22 - 26 8:00 am - 5:00 pm

April 29 - 30 7:00 am - 7:00 pm

Early Voting Locations:

Orange Public Library 220 N 5th Street, Orange (Main early voting location)

Orange County Airport - 2640 Hwy 87 S, Orange

Orange County Expo Center - 11475 FM 1442, Orange

Raymond Gould Community Center - 385 Claiborne Street, Vidor