

**ORDER FOR ELECTION TO BE HELD NOVEMBER 7, 2023 ON THE PROPOSITION OF INCREASING THE RATE OF SALES AND USE TAX IN FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 7 PURSUANT TO HEALTH & SAFETY CODE §775.0751 AND §775.0752**

**WHEREAS**, FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 7 (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 increase 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 Fort Bend County Assistance District No. 4, Fort Bend County Assistance District No. 5 and the City of Arcola - whereby a local sales and use tax has been imposed in addition to the District'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 increase its sales tax to a rate not to exceed one percent 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 November 7, 2023,

**NOW, THEREFORE, IT IS HEREBY ORDERED** that an Election be held in Fort Bend County Emergency Services District No. 7 on Tuesday, November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

"The adoption of an increased local sales and use tax in Fort Bend County Emergency Services District No. 7 at a rate not to exceed one percent 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 Fort Bend County for the Fort Bend County elections scheduled for November 7, 2023, 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 Fort Bend County Emergency Services District No. 7 shall be allowed to vote in the Fort Bend County Emergency Services District No. 7 Election and each voter shall vote at the Polling Place designated by Order of Fort Bend County for the Fort Bend County elections.

4. The voting in the District's Election Precincts shall utilize a State of Texas certified voting system provided by Fort Bend 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 Fort Bend County Clerk's Office.

(b) The District may contract with Fort Bend 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. **John Oldham**, Fort Bend 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 October 23, 2023 (the date which represents the earliest date on which early voting may begin) through November 3, 2023 (the date which represents the last day on which early voting may be performed) in accordance and at the locations designated by the Fort Bend County Elections Department. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows: 301 Jackson Street, Richmond, Texas 77469. The ballot applications must be received by the Fort Bend County Elections Administrator by October 27, 2023, 2023 at 5:00 p.m. The location of main early voting place is designated as follows:

Fort Bend County Elections Office  
301 Jackson Street, Richmond, Texas 77469

Days/Hours: In conformity with the Days and hours established by Fort Bend County Elections Administrator/Voter Registrar for the Fort bend 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 Fort Bend 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 Fort Bend 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 Fort Bend County Emergency Services District No. 7 Election to conduct an election on the proposition "The adoption of an increased local sales and use tax in Fort Bend County Emergency Services District No. 7 at a rate not to exceed one 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 Fort Bend 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.

**[The remainder of the page is left intentionally blank.]**

0 ADOPTED at Open Meeting this the 21st day of August 2023, by a vote of 4 to

ATTEST:

**FORT BEND COUNTY EMERGENCY  
SERVICES DISTRICT NO. 7**

By: Janet V. McClain  
Janet McClain  
District Secretary

By: Freddy Lopez Sr.  
Freddy Lopez, Sr  
District President