

**NUECES COUNTY EMERGENCY SERVICES DISTRICT NO. 2**

**ORDER NO. 08-15-19-V**

**RESOLUTION AND ORDER CALLING FOR A SPECIAL ELECTION ON THE ISSUE OF INCREASING THE MAXIMUM TAX RATE OF THE DISTRICT FROM A MAXIMUM RATE OF THREE (3) CENTS PER ONE HUNDRED DOLLAR (\$100.00) VALUATION TO A RATE OF FOUR AND ONE-HALF (4.5) CENTS PER ONE HUNDRED DOLLAR (\$100.00) VALUATION PURSUANT TO CHAPTER 775, HEALTH & SAFETY CODE.**

WHEREAS, Texas Health & Safety Code § 775.0745 permits a district operating under Chapter 775, Health & Safety Code to order an election to increase the maximum tax rate of the District to any rate at or below the rate allowed by Section 48-e, Article III, Texas Constitution; and,

WHEREAS, the Board of Commissioners of the Nueces County Emergency Services District No. 2 ("District") held a meeting called and conducted pursuant to all applicable law, including the Texas Open Meetings Act, on August 15, 2019; and,

WHEREAS, at its meeting held on August 15, 2019, the District ordered such an election be held pursuant to Chapter 775, Health & Safety Code, and other applicable law, on November 5, 2019:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF EMERGENCY SERVICES COMMISSIONERS OF NUECES COUNTY EMERGENCY SERVICES DISTRICT NO. 2 THAT:

Section 1. That the statements contained in the preamble to this Resolution and Order are true and correct and are adopted as findings of fact and conclusions of law hereby.

Section 2. The District shall hold an election on November 5, 2019 between the hours of 7:00 a.m. and 7:00 p.m. at the times and locations to be determined by the Nueces County Clerk, or her designee, on the issue of the increase in the maximum ad valorem tax rate of the District, with all applicable early and absentee voting places determined by the District in conjunction with the Nueces County Clerk as required by law, further notice, or applicable joint election agreements. The location of the main early voting polling place shall be that location or locations determined by the Nueces County Clerk, Kara Sands, or her designee, and she shall be the District's Early Voting Clerk, and said Clerk's official mailing address is P. O. Box 2627, Corpus Christi, Texas 78403. Early voting times, dates, and locations, and Election Day times and locations shall be determined by the Nueces County Clerk in consultation with District officials.

Section 3. The early voting shall begin on October 21, 2019 and end on November 1, 2019, or as otherwise set forth in the Texas Election Code or other applicable law.

Section 4. The time for early voting shall be on the dates noted above, at the times determined by the Nueces County Clerk, and may include Saturdays, Sundays, or legal holidays as further determined by said Clerk in conjunction with other elections to be held on said date.

Section 5. Pursuant to Texas Election Code § 42.061, the District shall have and adopt appropriate precincts as determined by the Nueces County Clerk, and qualified voters of the District shall vote at the early voting and election day polling places as determined by the Nueces County Clerk. The Election Officer for the District shall be Gary Graham, President of the District, 337 Yorktown Boulevard, Corpus Christi, Texas 78418, or his designee. The Election Officer is hereby empowered to execute all necessary documents and all take necessary actions to conduct and give effect to the election ordered herein. The Presiding Election Judges or other election officials for the election shall be those individuals designated by the Nueces County Clerk. The District shall follow all applicable bilingual procedures in the election.

Section 6. The voting at said election shall be by paper ballot or electronic voting system as utilized by the Nueces County Clerk, and such ballots for the election shall be printed in English and Spanish to permit voting for or against the following propositions:

“The increase in the maximum rate of the ad valorem tax imposed by Nueces County Emergency Services District No. 3 from three cents per one hundred dollars valuation to a rate of four and one-half cents per one hundred dollar valuation.”

Section 7. The appropriate officers of, and attorney for, the District are hereby authorized and directed to coordinate, oversee, and take all actions necessary to conduct this election, and the Nueces County Clerk and her appropriate officers are hereby appointed to assist the District in the coordination and oversight of this election.

Section 8. Notice and/or Order of this election, in substantially the form attached hereto, and in Spanish translation thereof, shall be issued and given in the manner provided by law.

RESOLVED AND ORDERED this 15<sup>th</sup> day of August 2019.

NUECES COUNTY EMERGENCY  
SERVICES DISTRICT NO. 2

By: \_\_\_\_\_  
Gary Graham,  
Vice President/Election Official