

RESOLUTION 2025- 04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LA PORTE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT ORDERING A CONTINUATION REFERENDUM ELECTION TO BE HELD ON THE 3RD DAY OF MAY, 2025, FOR THE PURPOSE OF VOTING FOR OR AGAINST THE PROPOSITION OF WHETHER THE LA PORTE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SHOULD BE CONTINUED FOR TWENTY (20) YEARS AND THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT SALES AND USE TAX SHOULD BE CONTINUED FOR TWENTY (20) YEARS; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING A SAVINGS CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Directors of the La Porte Fire Control, Prevention, and Emergency Medical Services District (the "District") is the governing board of a district validly created pursuant to Chapter 344 of the Texas Local Government Code; and

WHEREAS, on May 14, 2011, the eligible voters of the District approved a ballot proposition to adopt the District and approve a District sales and use tax at a rate of one-fourth of one percent (1/4 of 1%) as authorized by Chapter 344 of the Texas Local Government Code and Section 321.106 of the Texas Tax Code, and on May 7, 2016, a majority of the eligible voters of the District approved a ballot proposition to continue the District and the associated sales and use tax for ten (10) years; and,

WHEREAS, the District will be dissolved at the expiration of the current ten (10) year period, which period ends on November 3, 2026, which is the first uniform election date that occurs after the current ten (10) year period ends on May 23, 2026, unless the District holds a continuation referendum prior to such end date and at which election a majority of the eligible voters of the District cast votes in favor of continuation of the District; and

WHEREAS, the Board of Directors of the District finds and determines that it is necessary and advisable to call and hold a continuation referendum election on the question of whether to continue the District and the associated sales and use tax for twenty (20) years; and

WHEREAS, pursuant to Section 344.251 of the Texas Local Government Code the Board of Directors of the District may order a referendum on its own motion on the continuation of the District and the associated sales and use tax for a period of twenty (20) years; and

WHEREAS, it is hereby officially found and determined that said continuation referendum election will be held on a uniform election date in accordance with Section 41.001(a), Texas Election Code, as amended, that date being Saturday, May 3, 2025; and

WHEREAS, the District's Board of Directors (the "Board" herein), pursuant to the applicable provisions of the Texas Election Code and a separate resolution of the Board, intends to contract with the City of La Porte, Texas, for the provision of election equipment and services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LA PORTE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, THAT:

Section 1. The statements contained in the preamble of this resolution are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. That a continuation referendum election of the District, pursuant to Subchapter F of Chapter 344 of the Texas Local Government Code, and in accordance with Sections 41.001 and 41.031 of the Texas Election Code, shall be held between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 3rd day of May, 2025, in the City of La Porte, Texas, for the purpose of voting for or against the proposition of whether the La Porte Fire Control, Prevention, and Emergency Medical Services District should be continued for twenty (20) years and the fire control, prevention, and emergency medical services district sales and use tax should be continued for twenty (20) years.

a) If a majority of the votes cast in the continuation referendum election are for the continuation of the District, the District shall continue for another twenty (20) years, effective on May 23, 2026, the date of the end of the District's current ten (10) year period.

b) If less than a majority of the votes cast in the continuation referendum election are for the continuation of the District:

(1) The Board shall certify that fact to the Texas Secretary of State not later than the 10th day after the date of the canvass of the returns; and

(2) The District will be dissolved and cease to operate, effective on November 3, 2026, which is the first uniform election date that occurs after the current ten (10) year period ends on May 23, 2026.

Section 3. That the proposition specified in Section 2 hereof shall be presented to the qualified voters within the District's territory in accordance with law.

Section 4. That the form of the ballot for this special election shall be substantially as follows:

OFFICIAL BALLOT

PROPOSITION A

VOTE FOR OR AGAINST

Whether the La Porte Fire Control, Prevention, and Emergency Medical Services District should be continued for twenty (20) years and whether the fire control, prevention, and emergency medical services district sales and use tax should be continued for twenty (20) years.

Section 5. That the election shall be held as a joint election with the City of La Porte, Texas, pursuant to a joint election agreement and election services contract between the District and the City of La Porte, Texas, for the May 3, 2025, election.

Section 6. That the District shall use the polling places along with election officials and equipment for the continuation referendum election ordered in Section 2 hereof as designated by the City of La Porte, Texas.

Section 7. Voting at said election, including early voting, shall be by the use of voting machines; and the ballots of said election shall conform to the Texas Election Code, as amended.

Section 8. Lee Woodward, City Secretary, is appointed as the Early Voting Clerk, and Maria Lawler, Deputy City Secretary, is appointed as the Deputy Early Voting Clerk, for joint early voting in person and voting by mail, and the City of La Porte City Hall, City Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, 77571, is hereby designated as the Main Early Voting Location for early voting for the election.

Applications for ballot by mail shall be mailed, faxed, emailed, or delivered by common or contract carrier to:

Lee Woodward, City Secretary
City of La Porte
604 West Fairmont Parkway
La Porte, Texas 77571
Phone: 281-470-5021 Fax: 281-842-3701 Email: CitySecretary@LaPorteTX.gov
City website: LaPorteTX.gov Election webpage: LaPorteTX.gov/Elections or /Elecciones

who shall upon approval of the application provide balloting materials to the voter in accordance with the Texas Election Code.

An applicant for a ballot to be voted by mail (ABBM or federal postcard application (FPCA)) may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the close of regular business in the clerk's office on Tuesday, April 22, 2025 (Texas Election Code Sec. 84.008). The last day for the early voting clerk to receive applications for a ballot to be voted by mail via mail (regardless of postmarked date), fax, common or contract carrier, or email, is Tuesday, April 22, 2025, (Texas Election Code Sec. 84.007(c)). If a voter submits an application for ballot by mail via fax or email or an FPCA by fax, the early voting clerk must receive an original or a copy with a wet signature via mail within four business days of the submission of the fax or email, in accordance with Election Code Sec. 84.007(b-1).

The places at which Early Voting by personal appearance shall be conducted are designated as the La Porte City Hall, 604 West Fairmont Parkway, La Porte, Texas, (main early voting polling place), and the Instructional Technology Center (ITC Building), 9832 Spencer Highway, La Porte, Texas, (branch early voting polling place).

During the lawful early voting period, such Early Voting Clerk shall keep such locations for early voting open for early voting from 8:00 a.m. - 5:00 p.m., Monday through Friday, beginning Monday, April 22, 2025, and continuing through Tuesday, April 29, 2025.

Section 9. The Central Counting Station to receive and tabulate voted ballots shall be at the City of La Porte City Hall.

Section 10. That the continuation referendum election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. In the continuation referendum election, the president and the secretary of the District shall do and perform acts not performed by the Mayor and/or the City Secretary of the City of La Porte as required to be done and performed respectively by the elections administrator and early voting clerk. The notice of this election shall be given in accordance with all applicable laws. Notice of the continuation election shall also be provided to Harris County not later than the 60th day before the date of the election ordered herein.

Section 11. The Board officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the Board was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by Texas open meetings law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The Board further ratifies, approves and confirms such written notice and the contents and posting thereof.

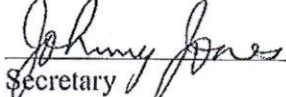
Section 12. This resolution shall take effect immediately from and after its passage by the Board of Directors of the District.


Adopted by the affirmative vote of the Board of Directors of the La Porte Fire Control, Prevention, and Emergency Medical Services District on this, the 13th day of FEBRUARY, 2025.


PRESIDENT

ATTEST:

APPROVED AS TO FORM:


Secretary


Clark T. Askins, Attorney for District