

**ORDER FOR ELECTION TO BE HELD MAY 5, 2018 FOR THREE (3) COMMISSIONER POSITIONS ON BOARD OF EMERGENCY SERVICES COMMISSIONERS OF HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 AS PROVIDED UNDER HEALTH & SAFETY CODE, §775.035.**

**WHEREAS**, HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 (the "District") was created at an election held August 9, 1997 pursuant to Texas Constitution, Article III, §48-e, and Chapter 775, Health & Safety Code; and

**WHEREAS**, the District operates pursuant to Texas Constitution, Article III, §48-e, and Chapter 775, Health & Safety Code; and

**WHEREAS**, the District is a multi-county District and is therefore governed by an elected Board of Emergency Services Commissioners; and

**WHEREAS**, pursuant to §775.035, Health & Safety Code, the District Board of Emergency Services Commissioners serve alternating four-year terms; and

**WHEREAS**, in this year of the District operations, pursuant to §775.035, Health & Safety Code, three (3) Commissioner positions are ending their regular terms; and

**WHEREAS**, the District Board of Emergency Services Commissioners finds that it is necessary to call for an election for three (3) positions on the District Board of Emergency Services Commissioners; and

**WHEREAS**, §775.035, Health & Safety Code, requires that such Election be held in conformity with §41.001, of the Texas Election Code, providing for Uniform Election Dates,

**NOW, THEREFORE, IT IS HEREBY ORDERED** that an Election be held in HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 on Saturday, May 5, 2018, between the hours of 7:00 a.m. and 7:00 p.m., to elect three (3) persons to serve as Commissioners of HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 for four-year terms commencing June 1, 2018.

**IT IS FURTHER ORDERED** that:

1. (a) The ballot for the Election shall provide for voting for none, one, two or three candidates among those candidates listed or written in by the voter (as may be allowed by law).

(b) Those three (3) candidates receiving the most number of votes shall be elected in accordance with law. Election shall be by plurality vote.

(c) In the event of a tie vote among all the candidates or among those candidates each having the first, second or third most votes, the resolution shall be handled in accordance with §2.002, Election Code.

2. The Election shall be held within 5 District Election Precincts, using Harris County Election Precincts wholly or partially located within the District, subject to consolidations as set forth in Attachment 1. Regardless of residence in the County Election Precincts, only persons residing within the District boundaries may vote in this election.

3. Only persons qualified to vote within the geographic boundaries of HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 shall be allowed to vote at the Election and each voter shall vote at the Polling Place designated by Order of the District Board of Emergency Services Commissioners.

4. The voting in the District's Election Precincts shall utilize an Electronic Voting System/Direct Recording Electronic Voting Machine, (Hart 6.2.1 system) as certified by Texas Secretary of State, April 30, 2009. The candidates' names shall appear on the voting machine in the form as required by law and in such a manner that each voter may cast no vote or may cast one vote for each of none, one, two or three candidates among those candidates listed or written in by the voter.

5. All candidates must file an application in accordance with the Texas Election Code (including Chapter 141, Subchapters A and B, and Chapter 144, Texas Election Code). All candidates are obligated to determine on their own whether their application is correct in form and content.

6. All applications for a place on the ballot must be filed with DAVID LANGENBERG, District Secretary, or his Appointed Agent, and must be received by mail or in person to c/o Coveler & Peeler, P.C., 820 Gessner, Suite 1710, Houston, Texas 77024, not prior to January 17, 2018 and not later than 5:00 p.m. on February 16, 2018. The procedures and time requirements for write-in candidacies are governed by Subchapter C, Chapter 146, Election Code.

7. The order of the candidates' names shall be determined by a drawing held in accordance with and under the time parameters set forth in §52.094, Texas Election Code. As required by law, candidates' names may only appear as an independent, without denoting any political or party affiliation.

8. **KARINA MARTINEZ** is hereby designated as the Early Voting Clerk for this Election. Early voting shall be conducted on weekdays from April 23, 2018 (the date which represents the earliest date on which early voting may begin) through May 1, 2018 (the date which represents the last day on which early voting may be performed). The location of main early voting is designated as follows:

Harris County ESD No. 9 Administrative Building  
9630 Telge Road, Houston, Texas 77095

Days/Hours:

Monday – Friday, April 23 – April 27: 9:00 a.m. – 5:00 p.m.

Saturday, April 28, 2018: 10:00 a.m. – 3:00 p.m.

Monday – Tuesday, April 30 – May 1: 9:00 a.m. – 5:00 p.m.

9. 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.

10. Ballot applications and ballots voted by mail shall be sent to the Early Voting Clerk at **c/o Coveler & Peeler, P.C., 820 Gessner, Suite 1710, Houston, Texas 77024**. There shall be no provision for telephonic facsimile transmission of ballot applications. The ballot applications must be received by April 24, 2018, at 5:00 p.m.

11. 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 Establishing and Designating Election Precincts and Polling Places; Order Appointing Presiding Election Judges; Order Appointing Early Voting Ballot Board; Order Appointing an Early Voting Clerk.

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

13. This Order constitutes the Amended Election Order of HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 Election to elect three (3) persons to serve as Commissioners of HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 for four-year terms commencing June 1, 2018. The Notice of the Election shall be prepared in accordance with law and shall be given by publication. 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 Emergency Services Commissioners and a copy shall be filed with the County Clerks of Harris County and Fort Bend County, Texas. After publication, the District Board of Emergency Services 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 18<sup>th</sup> day of January, 2018, by a vote of  
4 to 0.

/s/

Bob Janusaitis, President  
Board of Commissioners  
HARRIS COUNTY EMERGENCY  
SERVICES DISTRICT NO. 9

ATTACHMENT 1  
(Election Day)

HCESD No. 9 Election Precinct A  
County Precincts:  
111, 124, 126, 300, 370, 405, 481,  
511, 624, 688, 691, 734, 768, 806,  
817, 901, 923

Polling Place  
Cy-Fair VFD Station No. 7  
20444 Cypresswood Dr.  
Cypress, Texas 77433

HCESD No. 9 Election Precinct B  
County Precincts:  
074, 225, 244, 480, 495, 518, 548,  
640, 641, 671, 687, 713, 759, 980

Polling Place  
Cy-Fair VFD Station No. 10  
11310 Steeplecrest  
Houston, Texas 77065

HCESD No. 9 Election Precinct C  
County Precincts:  
364, 383, 496, 593, 609, 628, 661

Polling Place  
Cy-Fair VFD Station No. 1  
9201 Rodney Ray  
Houston, Texas 77040

HCESD No. 9 Election Precinct D  
County Precincts:  
50, 155, 260, 314, 398, 512, 517,  
523, 553, 616, 621, 622, 642, 643,  
650, 667, 676, 689, 701, 771, 789,  
800, 882, 991

Polling Place  
Cy-Fair VFD Station No. 9  
7922 Highway 6 North  
Houston, Texas 77095

HCESD No. 9 Election Precinct E  
County Precincts:  
119, 143, 149, 305, 331, 598, 617  
651, 709, 712, 785, 790, 803, 804  
862, 875, 877, 881, 898, 913, 919  
951

Polling Place  
Cy-Fair VFD Station No 11  
18134 West Road  
Cypress, Texas 77433

ATTACHMENT 2  
(Early Voting)

Harris County ESD No. 9 Administrative Building  
9630 Telge Road, Houston, Texas 77095

Days/Hours:

Monday – Friday, April 23 – April 27: 9:00 a.m. – 5:00 p.m.

Saturday, April 28, 2018: 10:00 a.m. – 3:00 p.m.

Monday – Tuesday, April 30 – May 1: 9:00 a.m. – 5:00 p.m.