UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

Alberto Patino, et al.,	)	
	)	
_____	)	
Plaintiff(s),	)	
	)	
v.	)	**Civil Action No.**
	)	**H-14-3241**
City of Pasadena	)	
_____	)	
Defendant(s).	)	

UNOPPOSED MOTION EITHER TO PRECLEAR OR TO DETERMINE THAT PRECLEARANCE IS NOT REQUIRED

In its Judgment and Order of January 16, 2017, (Doc. 162), the Court retained jurisdiction in the case and imposed preclearance requirements on the City of Pasadena until June 30, 2023. The City of Pasadena wants to be certain that any covered election change complies with the requirements of the Court's judgment. The City of Pasadena Crime Control and Prevention District (CCPD) has called a special election to be held on May 6, 2023, at the same time as the City of Pasadena's general election for members of the city council. The purpose of this motion is to confirm that the CCPD May 2023 election does not require preclearance under the Court's Judgment and Order or, if it does, to present that order for preclearance.

I. The District Court's Judgment Covers the City of Pasadena but Does Not Extend to the City of Pasadena CCPD

A. The Court's Order is designed to require review of the city's council districts

On page 3 of the Court's Final Judgment and Order of Injunction, the Court indicates that it "retains jurisdiction for six years to review before enforcement any change to the election map or plan that was in effect in Pasadena on December 1, 2013." Item 3 beginning on page 4 of the Order, though, uses more expansive language by saying that

> no voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting different from that in force or effect on December 1, 2013 may be enforced unless and until the court has found that the qualification, prerequisite, standard, practice, or procedure does not have the purpose, and will not have the effect, of denying or abridging the right to vote on account of race or color or in contravention of the voting guarantees set forth in 52 U.S.C. § 10303(f)(2).

If the City of Pasadena CCPD is subject to the 2017 judgment, the language of item 3 would encompass an order such as the one it adopted calling a special election although the language on page 3 of the Judgment, which relates to council district maps and plans, would not.

B. The CCPD, although related to the City of Pasadena, is a separate entity

Even if the scope of the preclearance requirement is defined by the broad language of item 3 rather than the more limited language on the preceding page, perhaps the more important question is whether the Judgement and Order covers the CCPD. The City of Pasadena CCPD unquestionably is related to the City of Pasadena and benefits the city, but it has a separate and largely independent board. Crime control and prevention districts are created and governed under the provisions of chapter 363 of the Texas Local Government Code. The City of Pasadena CCPD's creation, in the language of the statute, was "proposed" by the City of Pasadena city council, which appointed a temporary board. Tex. Loc. Gov't Code, §§ 363.051, 363.052. The temporary board

then calls a referendum election, which, if it passes, creates the CCPD. Tex. Loc. Gov't Code §§ 363.053, 363.059(b). While the process is initiated by the city council, the CCPD is actually created by the vote of the people.

After the CCPD is created by the election, the city council appoints the District's seven-member board. Tex. Loc. Gov't Code §§ 363.101,363.052(a). The board adopts its own budget and manages, controls, and administers its funds except that the overall budget is subject to approval of the city council. Tex. Loc. Gov't Code §§ 363.153, 363.205. The CCPD is funded by a sales tax of ½ of one percent that was approved in its creation election. With that money it is authorized to fund a long list of programs that relate to law enforcement, community-related crime prevention strategies, treatment and prevention programs, and court and prosecution services. Tex. Loc. Gov't Code § 363.151. The city can apply for grants from the CCPD, and the funds provided by the CCPD will be apportioned to the city. Tex. Loc. Gov't Code §§ 363.154(d), 363.209.

Although the CCPD unquestionably has ties to the City of Pasadena, it has a separate board. Except for approval of the overall budget on an up or down vote—*i.e.,* without the power to amend—the CCPD board acts independently. On the matter at issue here—calling an election—it is the CCPD board and not the city council that makes the decision, although the board's options are largely cabined by statute in that the election must be on a uniform date and observe the time frames and procedures set out in the Election Code.

As the City of Pasadena CCPD is a separate and at least a quasi-independent district that was not a party to the *Patino* suit, the city believes it is not required to seek preclearance under the Judgment for the CCPD election. As indicated below in the Certificate of Conference, I am authorized to represent that counsel for Mr. Patino agrees that the CCPD is not covered by the Court's judgment.

II. If the City of Pasadena CCPD is subject to preclearance under the Court's judgment, the order for an election to be held on May 6, 2023, should be precleared

Under the statute, CCPDs are created for an initial term of five years. Tex. Loc. Gov't Code § 363.301. They may, however, be continued for a term of 5, 10, 15, or 20 years by means of periodic elections. Tex. Loc. Gov't Code §§ 363.251, 363.2515. The City of Pasadena CCPD was created by an election held in 1998 and was continued for ten-year periods at elections in 2003 and 2013. Unless its continuation is approved at an election held in 2023, the CCPD will be dissolved.

Accordingly, the City of Pasadena CCPD board of directors adopted an election order on September 21, 2022, calling for an election to be held on May 6, 2023, at which voters can choose to continue the CCPD and its sales tax for an additional ten years. The voters will vote either for or against that single proposition. The Order is attached as **Exhibit A**. May 6 is one of the two uniform election days on which an election may be held in 2023 and is the same day that the City of Pasadena will hold its general election for city council members. Local school districts will also hold elections that day so when a voter goes to the polling place, he or she will receive a single ballot with all the matters on which the individual is eligible to vote. The election will be held under a contract with the Harris County Elections Administrator. Since Harris County uses a vote center system, the voters in the CCPD election can vote at any Harris County polling place. The order lists 31 in-person early-voting locations, four of which are in Pasadena. There are 102 election-day polling places, seventeen of which are in Pasadena.[1]

[1] The election order lists the polling places that were used in the May 2021 election. It is likely that some of these polling places will be changed when the county adopts its final list in 2023. If it is determined that the City of Pasadena CCPD is covered by the Court's *Patino* judgment, it will submit any changes to the Court or to the Department of Justice for preclearance.

The benchmark against which the election change is measured is the preceding CCPD election, which was held on May 11, 2013. The order calling that election is attached as **Exhibit B**. The letter by which the Department of Justice precleared that election is attached as **Exhibit C**. That election was by the City of Pasadena rather than by contract with the county so there was a single site for in-person early voting and ten election-day polling places (one in each of the eight council districts except that the larger and geographically elongated District H had three polling places). Thus, voting in the 2023 CCPD election with many more polling places will be much more convenient and accessible than it was in the 2013 benchmark.

The decision to hold the CCPD election is not expected to have any adverse impact on members of protected minority groups. Hispanics constitute 63.52% of the city's voting-age population and 56.58% of the citizen-voting-age population. Persons with Spanish surnames make up 47.06% of the registered voters. The Non-Hispanic Black, Non-Hispanic Asian, and Non-Hispanic Other populations are relatively small respectively comprising 3.15%, 2.45%, and 2.13% of the city's voting-age population. Because the election will be held on the same day and will appear on the same ballot as other elections and will employ a large array of available polling places there should be no barrier to participation by any group.

Conclusion and Prayer

The City of Pasadena Crime Control and Prevention District, although coterminous with the City of Pasadena and related to it, has a separate governing body and is a separate entity. Accordingly, the Court should find that it is not subject to the preclearance requirements imposed in the Court's Final Judgment and Order of Injunction entered January 16, 2017.

Alternatively, should the Court conclude that the City of Pasadena's Crime Control and Improvement District is subject to the January 16, 2017, judgment, it should find that its Order calling an election for May 6, 2023, does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or language minority status.

Certificate of Conference

I conferred by email with Ms. Nina Perales of MALDEF, who is the lead counsel for the plaintiff in this case. Additionally, I provided her with a copy of this motion either to preclear or to determine that preclearance is not required. She authorized me to represent that since the CCPD is a separate political jurisdiction with its own board that she agrees that it is not covered by the Court's 2017 judgment so that preclearance of its continuation election is not required.

Respectfully submitted,

By: /s/ C. Robert Heath

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served via electronic filing service provider, email, facsimile, and/or Certified Mail Return Receipt Requested to all parties of record listed below on this the 19th day of October, 2022.

Nina Perales
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/s/ C. Robert Heath
C. Robert Heath

EXHIBIT "A"

AN ORDER CALLING A CONTINUATION ELECTION FOR THE CITY OF PASADENA CRIME CONTROL AND PREVENTION DISTRICT AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Chapter 363, Texas Local Government Code, as amended (the "Act"), provides that the creation of a crime control and prevention district may be proposed by a majority vote of a municipality that is partially or wholly located in a county with a population of more than one million;

WHEREAS, on September 1, 1998, pursuant to Resolution No. 98-61, the City Council of the City of the Pasadena, Texas (the "City"), proposed the creation of the City of Pasadena, Texas Crime Control and Prevention District (the "District") and appointed seven persons that reside in the District to serve as members of the Board of Directors (the "Board") of the District;

WHEREAS, on November 3, 1998, an election was held to approve the creation of the District at which a majority of the votes were cast in favor of authorizing the creation of the District and approving the adoption of the proposed sales and use tax at a rate of one-half of one percent (1/2%) (the "District's Tax");

WHEREAS, Section 363.301 of the Act provides that a crime control and prevention district is dissolved on the fifth anniversary of the date the district began to levy taxes for district purposes if the district has not held a continuation or dissolution referendum;

WHEREAS, Section 363.251 of the Act provides that the board of a crime control and prevention district may order a referendum to continue the district on its own motion by a majority vote of its members;

WHEREAS, Section 363.2515 of the Act provides that the board of a crime control and prevention district or governing body of the municipality that created the district may specify that the district be continued for a period of 5, 10, 15, or 20 years;

WHEREAS, on May 3, 2003, an election was held to approve the continuation of the District at which a majority of the votes were cast in favor of authorizing the continuation of the District and the District's Tax for a period of ten (10) years;

WHEREAS, on May 11, 2013, an election was held to approve the continuation of the District at which a majority of the votes were case in favor of authorizing the continuation of the District and the District's tax for a period of ten (10) years;

WHEREAS, the Board of the District has determined that it is necessary and appropriate to order a continuation referendum to continue the District and the District's Tax for an additional period of ten (10) years;

WHEREAS, the District and the City are located wholly within the boundaries of Harris County, Texas (the "County");

WHEREAS, the Board intends to hold the continuation election on May 6, 2023, and intends to utilize County election precincts, procedures and personnel to hold the District election as authorized under Chapters 31 and 271 of the Texas Election Code; and

WHEREAS, the Board is authorized under Chapters 42 and 85 of the Texas Election Code to designate dates, time, and locations for early voting by personal appearance and for voting on Election Day.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE CITY OF PASADENA, TEXAS, CRIME CONTROL AND PREVENTION DISTRICT:

Section 1. An election (the "Election") shall be held in the City on May 6, 2023, which date is not less than seventy-eight (78) days from the date of the adoption hereof, and is a uniform election date pursuant to Section 41.001, Texas Election Code, as amended, for the purpose of submitting the following to the qualified voters of the City:

> Whether the City of Pasadena, Texas, Crime Control and Prevention District should be continued for ten (10) years and the crime control and prevention district sales tax should be continued for ten (10) years.

Section 2. Voting in the Election, including early voting, shall be by use of the Hart Verity Voting System, an electronic voting system adopted by the Commissioners Court of the County for use in elections in the County and ballots shall be prepared in accordance with the applicable provisions of the Texas Election Code so the voters may cast their ballots either "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

> WHETHER THE CITY OF PASADENA, TEXAS, CRIME CONTROL AND PREVENTION DISTRICT SHOULD BE CONTINUED FOR TEN (10) YEARS AND THE CRIME CONTROL AND PREVENTION DISTRICT SALES TAX SHOULD BE CONTINUED FOR TEN (10) YEARS.

Section 3. The Election shall be conducted by the Harris County Elections Administrator on behalf of the District under a contract for election services approved by the Board. The Election shall be conducted as a joint election under Chapter 271 of the Texas Election Code. The City shall be divided into the County election precincts located and the polling places designated for each election precinct, and the persons appointed by the Commissioners Court of the County to serve as Presiding Judge and Alternate Presiding Judge for each polling place, shall serve as Presiding Judge and Alternate Presiding Judge for the Election.

The Board appoints Clifford Tatum to serve as the District's Regular Early Voting Clerk. The Board appoints the Harris County Elections Administrator to serve as the District's Joint Early Voting Clerk. The contact information for the Joint Early Voting Clerk is as follows:

> Election Administrator's Office
> 1001 Preston Houston, TX 77002

Phone: 713-755-6965
Email: voters@harrisvotes.com
ADA@vote.hctx.net
Website: https://www.harrisvotes.com/

All applications for ballots received during the period allowed by the Texas Election Code shall be sent by regular mail to: Harris County Election Administrator's Office, P.O. Box 1148, Houston, TX 77251-1148. They may also be sent common or contract carrier to: Harris County Election Administrator's Office, 1001 Preston, 4th Floor, Houston, TX 77002. An application may also be submitted by fax or email to 713-755-4983, 713-437-8683, or vbm@HarrisVotes.com. If an application is faxed or emailed it must also be submitted by mail to the joint early voting clerk no later than the fourth business day after the transmission by fax or email is received. The application for a ballot by mail must be received by October 28, 2022.

On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m. Early voting shall be conducted at the locations established by the Commissioners Court of the County in accordance with the provisions of the Election Code. A list of early voting dates, times and locations, including the main early voting location, and election day voting locations is attached as **Exhibit A** to this Order and incorporated by reference herein for all purposes. Exhibit A may be modified to include additional or different voting locations. The persons appointed by the Commissioners Court of the County to serve as early voting clerk and deputy early voting clerks shall serve as early voting clerk and deputy early voting clerks for the Election.

The central counting station or stations for counting and tabulation of the results of the Election shall be the same as the central counting station used by the County. The persons appointed by the Commissioners Court of the County to serve as central counting station judge, manager and tabulation supervisor shall serve as central counting station judge, manager and tabulation supervisor for the Election. After the completion of such person's responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns not earlier than the third day (unless a later date is required by the Election Code) or later than the eleventh day after the Election as required by the Election Code and declare the results of the Election.

Section 4. All resident qualified electors of the City shall be permitted to vote in the Election. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, the Texas Tax Code and the Act, and as may be required by law, all Election materials and proceedings shall be printed in the English, Spanish, Vietnamese and Chinese languages.

The Board finds the use of vote centers, if applicable, under the Countywide Polling Place Program as described in Section 43.007 Texas Election Code, will result in a more convenient voting opportunity for the voters and a more efficient and cost-effective administration of the Election, and the use of vote centers is hereby approved.

Section 5. Notice of the Election, stating in substance the contents of this order, shall be published one time in the English, Spanish, Vietnamese and Chinese languages in a newspaper published within the District's territory at least ten (10) days and no more than thirty (30) days before the Election. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings and on the District's website no later than the twenty-first (21st) day before the Election.

Section 6. The President or Vice President of the Board are authorized to execute and the Secretary of the Board is authorized to attest this Order on behalf of the Board; and the President or Vice President of the Board are authorized to do all other things legal and necessary in connection with the holding and consummation of the Election. Without limiting the generality of the immediately preceding sentence, the President or Vice President of the Board are authorized to complete and update, as necessary, the exhibit attached hereto with voting locations and other information as same is made available by the Harris County Elections Administrator.

Section 7. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election order and the subject matter thereof was discussed, considered and formally acted upon.

Section 8. This Order is effective immediately upon its passage and approval.

[Remainder of page intentionally left blank.]

Passed on this the 21st day of September 2022

President, Board of Directors
City of Pasadena Crime Control and
Prevention District

ATTEST:

Secretary
Board of Directors
City of Pasadena
Crime Control and Prevention District

APPROVED:

City Attorney
City of Pasadena, Texas

Exhibit A

Early Voting Dates, Times and Locations

Monday, April 24 – Friday, April 28, 2023, 7 a.m. – 7 p.m.; Saturday April 29, 2023, 7 a.m. – 7 p.m.; Sunday, April 30, 2023, 12 p.m. – 7 p.m.; Monday, May 1 – Tuesday, May 2, 2023, 7 a.m. – 7 p.m.

The Harris County Administration Building, 1001 Preston Street, Northeast Sub Foyer, 1st Floor Houston, Texas 77002 is designated as the main early voting place.

Location	Address 1	Voting Room	City	Zip
Harris County Administration Building	1001 Preston Street	Northeast Sub foyer; 1st Floor	Houston	77002
Prairie View A&M University	9449 Grant Road		Houston	77070
Kingwood Community Center	4102 Rustic Woods Drive		Kingwood	77345-1350
San Jacinto Community Center	604 Highland Woods Drive		Highlands	77562-4546
MultiCultural Center	951 Tristar Drive		Webster	77598
Humble Civic Center	8233 Will Clayton Pkwy		Humble	77338
Lee College	550 Lee Drive	Parking Lot 3	Baytown	77520
Cleveland Ripley Neighborhood Center	720 Fairmont Parkway	Fairmont Park	Pasadena	77504
County Attorney Conference Center	1019 Congress Avenue	Conference Room	Houston	77002
Prairie View A&M University Northwest	9449 Grant Road	Room 107 108	Houston	77070
Lake Houston Church of Christ	8003 Farmingham Road	Fellowship Hall	Humble	77346-2249
Kingwood Community Center	4102 Rustic Woods Drive	Auditorium	Kingwood	77345-1350
JD Walker Community Center	7613 Wade Road	Large MultiPurpose Room	Baytown	77521-8338
San Jacinto Community Center	604 Highland Woods Drive	Meeting Room	Highlands	77562-4546

East Harris County Activity Center	7340 Spencer Highway	Big Room	Pasadena	77505
Crosby Community Center	409 Hare Road	Large Assembly Room	Crosby	77532
El Franco Lee Community Center	9500 Hall Road	Auditorium	Houston	77089
MultiCultural Center	951 Tristar Drive	Lobby	Webster	77598
University of Houston Clear Lake	2700 Bay Area Boulevard	Garden Room	Houston	77058
Webster Civic Center	311 Pennsylvania Avenue	Civic Center	Webster	77598-5230
Saint John Lutheran Church and School	15235 Spring Cypress Road	Chapel	Cypress	77429
Windsor Village Community Center	14441 Croquet Lane	Multi purpose Room	Houston	77085
Hampton Inn & Suites Houston-Katy	22055 Katy Freeway	Meeting Room	Katy	77450
West University Place City Hall	3800 University Boulevard		West University Place	77005
Katherine Tyra Branch Library	16719 Clay Road	Meeting Room	Houston	77084
Humble Civic Center	8233 Will Clayton Pkwy	Ballrooms 2&3	Humble	77338
Lee College	550 Lee Drive	Arena Floor	Baytown	77520
John Phelps Courthouse	101 South Richey Street		Pasadena	77506
City of South Houston Municipal Court	1019 Dallas Street	at Virginia Avenue	South Houston	77587
BakerRipley Cleveland Campus	720 Fairmont Parkway	Gym	Pasadena	77504
Big Stone Lodge	709 Riley Fuzzel Road	Grand Meeting Hall	Spring	77373

Election Day Voting Locations

November 8, 2022 – 7:00 am through 7:00 p.m.

Location	Address 1	Voting Room	City	Zip
Baytown Junior High School	7707 Bayway Drive	Cafeteria	Baytown	77520
Saint Andrews Presbyterian Church	5308 Buffalo Speedway	Warren Family Center	Houston	77005-2122
Wyndham Park Apartments	2700 Rollingbrook Drive	1st floor Clubhouse	Baytown	77521-3670
EV145H - City of South Houston Municipal Court	1019 Dallas Street		South Houston	77587

Beverly Hills Intermediate School	11111 Beamer Road	Cafeteria	Houston	77089-2305
Southside Place Park Clubhouse	3743 Garnet Street	Clubhouse	Houston	77005-3715
Pearl Hall Elementary School	1504 9th Street	Small Gym	South Houston	77587-5000
Goose Creek Memorial High School	6001 East Wallisville Road	Cafeteria	Baytown	77521
Fall Creek Elementary School	14435 Mesa Drive		Humble	77396
McMasters Elementary School	1011 Bennett Drive	Cafeteria	Pasadena	77503-2205
EV134V - West University Place City Hall	3800 University Boulevard		West University Place	77005
Williams Elementary School	1522 Scarborough Lane	Gym	Pasadena	77502-1674
Foster Elementary School	1800 Trailwood Village Drive		Kingwood	77339
Bailey Elementary School	2707 Lafferty Road	Cafeteria	Pasadena	77502
De Zavala Elementary School	305 Tri City Beach Road	Kinder Pod	Baytown	77520
Bobby Shaw Middle School	1201 Houston Avenue	Gym	Pasadena	77502
Nelda Sullivan Middle School	1112 Queens Road	Gym 2	Pasadena	77502
Reformation Temple Church	2033 Pickerton Drive	Sanctuary	Deer Park	77536
Garfield Elementary School	10301 Hartsook Street	Gym	Houston	77034-3596
Red Bluff Elementary School	416 Bearle Street	Cafeteria	Pasadena	77506-3098
Pine Forest Elementary School	19702 West Lake Houston Parkway	Cafeteria	Humble	77346
Hidden Hollow Elementary School	4104 Appalachian Trail	Cafeteria	Kingwood	77345
Whispering Pines Elementary School	17321 Woodland Hills Drive		Humble	77346
Deussen Park Senior Center	12303 Sonnier Street	Meeting Room 2	Houston	77044
George H Gentry Junior High School	1919 East Archer Road	Cafeteria	Baytown	77521
Humble Middle School	11207 Will Clayton Parkway	Auditorium	Humble	77346-3005
Keller Middle School	1711 Magnolia Street	Gym 2	Pasadena	77503
Cedar Bayou Junior School	2610 Elvinta Street	Hallway	Baytown	77520
Beverly Hills Community Center	10201 Kingspoint Road	Community Center	Houston	77075
Woodcreek Middle School	14600 Woodson Park Drive	University Hall	Houston	77044
Eagle Springs Elementary School	12500 Will Clayton Parkway	Music Room 704	Humble	77346-3006
Stuart Career Tech High School	300 YMCA Drive	Cafeteria	Baytown	77521
Kingwood High School	2701 Kingwood Drive	Cafeteria	Humble	77339
Frazier Elementary School PISD	10503 Hughes Road	Gym	Houston	77089

Greater Saint Matthew Baptist Church Southwest Campus	14919 South Main	Fellowship Hall	Houston	77035
Emmott Elementary School	11750 Steeple Way Boulevard	PE Room	Houston	77065
The Church Without Walls	5725 Queenston Boulevard	Multi purpose gym	Houston	77084
Laura Welch Bush Elementary School	9100 Blackhawk Boulevard	Gym	Houston	77075-2250
EV132M - Hampton Inn & Suites Houston-Katy	22055 Katy Freeway	Empire/ Victory Room	Katy	77450
Fallbrook Church	12512 Walters Road	Brooks Sports Gym	Houston	77014
Kingwood Middle School	2407 Pine Terrace Drive	Cafeteria	Kingwood	77339
Humble ISD Collaboration Center	10203 Birchridge Drive	Rooms 101 and 102	Humble	77346
Willie B Ermel Elementary School	7103 Woodsman Trail	Library	Houston	77040-1839
Twin Creeks Middle School	27100 Cypresswood Drive	Gym	Spring	77373-6300
Kingwood Park High School Performing Arts Center	4015 Woodland Hills Drive	Cafeteria	Kingwood	77339
Oaks Elementary School	5858 Upper Lake Drive	Cafeteria	Humble	77346
Fairmont Elementary School	4315 Heathfield Drive	GYM	Pasadena	77505-4242
Deerwood Elementary School	2920 Forest Garden Drive		Kingwood	77345
Oak Forest Elementary School	6400 Kingwood Glen Drive	Cafeteria	Humble	77346-2039
Royce Black Elementary School	14155 Grant Road	Physical Education Rm 711	Cypress	77429
Golden Acres Elementary School	5232 Sycamore Avenue	Gym	Pasadena	77503
West Campus Gym	24403 East Lake Houston Parkway	West Gym	Huffman	77336
Lone Star Flight Museum	11551 Aerospace Avenue	Event Center Room156	Houston	77034
Goose Creek CISD Administration Building	4544 Interstate 10		Baytown	77520
Carroll Teague Elementary School	4200 Crenshaw Road	Cafeteria	Pasadena	77504
Genoa Staff Development Center	12900 Almeda Genoa Road	Gymnasium	Houston	77034
Shadow Forest Elementary School	2300 Mills Branch Drive	Cafeteria	Kingwood	77345
Willow Creek Elementary School Humble ISD	2002 Willow Terrace Drive	Cafeteria	Humble	77345
South Belt Elementary School	1801 Riverstone Ranch Road	Gym	Houston	77089-5724
Timbers Elementary School	6910 Lonesome Woods Trail	Cafeteria	Humble	77346-5016

EV130S - Saint John Lutheran Church and School	15235 Spring Cypress Road	Chapel	Cypress	77429
Lake Houston Church of the Nazarene	5616 FM 1960 Road East	Gym	Humble	77346
Atascocita Middle School	18810 West Lake Houston Parkway	Cafeteria	Humble	77346
River Pines Elementary School	2400 Cold River Drive	Cafeteria	Humble	77396
EV131K - Windsor Village Community Center	14441 Croquet Lane	Multi purpose room	Houston	77085
Lakeshore Elementary School	13333 Breakwater Path Drive	Cafeteria/Gym	Houston	77044
Timber Lane Community Center	1904 Naplechase Crest Drive	Meeting Room A/B	Spring	77373
EV001C - County Attorney Conference Center	1019 Congress Avenue	Conference Room	Houston	77002
EV144J - John Phelps Courthouse	101 South Richey Street	Training Room	Pasadena	77506
EV128J - San Jacinto Community Center	604 Highland Woods Drive	Meeting Room	Highlands	77562
EV129W - Webster Civic Center	311 Pennsylvania Avenue	Civic Center	Webster	77598
EV144 - Lee College	550 Lee Drive	Arena Floor	Baytown	77520
EV141U - Humble Civic Center	8233 Will Clayton Parkway	Special Events Room	Humble	77338
EV126P - Prairie View A&M University Northwest	9449 Grant Road	Room 107/108	Houston	77070
Pomeroy Elementary School	920 Burke Road	Gymnasium	Pasadena	77506
EV128D - JD Walker Community Center	7613 Wade Road	Large Multi Purpose Room	Baytown	77521
Rick Schneider Middle School	8420 Easthaven Boulevard	Gym	Houston	77075
Sam Rayburn High School	2121 Cherrybrook Lane	Gym 1	Pasadena	77502
Deepwater Junior High School	501 Glenmore Drive	Gym	Pasadena	77503
City of Nassau Bay Council Chamber	1800 Space Park Drive No 200	Meeting Room	Nassau Bay	77058
EV129U - University of Houston Clear Lake	2700 Bay Area Boulevard	Garden Room	Houston	77058
Calvary Hills Funeral Home	21723 Aldine Westfield Road	Fellowship Hall	Humble	77338
EV127Y - Kingwood Community Center	4102 Rustic Woods Drive	Auditorium	Kingwood	77345
EV128Z - Crosby Community Center	409 Hare Road	Large Assembly Room	Crosby	77532
Parkgate Community Church	3715 Preston Avenue	Kix Building	Pasadena	77505
HC Public Library Kingwood Branch	4400 Bens View Lane	Main Room 105	Kingwood	77339
Mildred Jenkins Elementary School	4615 Reynaldo Drive	Gym	Spring	77373

Harris County WCID 70	2935 Foley Road	Main Room	Crosby	77532
EV138K - Katherine Tyra Branch Library	16719 Clay Road	Meeting Room	Houston	77084
Memorial Parkway Junior High School	21203 Highland Knolls Drive	Collaboration Space 2	Katy	77450
EV129E - El Franco Lee Community Center	9500 Hall Road	Auditorium	Houston	77089
EV127H - Lake Houston Church of Christ	8003 Farmingham Road	Fellowship Hall	Humble	77346
Saint Timothy Lutheran Church	14225 Hargrave Road	Room 103	Houston	77070
G W Robinson Elementary School	451 Kirby Road	300 Gym	Seabrook	77586
EV150B - Big Stone Lodge	709 Riley Fuzzel Road	Grand Meeting Hall	Spring	77373
EV145R - BakerRipley Cleveland Campus	720 Fairmont Parkway	Gym	Pasadena	77504
The Light of the World Christian Fellowship	16161 Old Humble Road	Auditorium (Sanctuary)	Humble	77396
SJC South Campus Fine Arts Center Building 15	13735 Beamer Road		Houston	77089
EV128P - East Harris County Activity Center	7340 Spencer Highway	Big Room	Pasadena	77505
Sierra Meadows Apartments	9835 North Sam Houston Parkway East	Coffee Room	Humble	77396
EV129M - MultiCultural Center	951 Tristar Drive	Lobby	Webster	77598
Wildwood Elementary School	13802 Northpointe Boulevard	Cafeteria	Tomball	77377

EXHIBIT "B"

AN ORDER

CALLING CONTINUATION ELECTION FOR THE CITY OF PASADENA CRIME CONTROL AND PREVENTION DISTRICT AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Chapter 363, Texas Local Government Code, as amended (the "Act"), provides that the creation of a crime control and prevention district may be proposed by a majority vote of a municipality that is partially or wholly located in a county with a population of more than one million;

WHEREAS, on September 1, 1998, pursuant to Resolution No. 98-61, the City Council of the City of the Pasadena, Texas (the "City"), proposed the creation of the City of Pasadena, Texas Crime Control and Prevention District (the "District") and appointed seven persons that reside in the District to serve as members of the Board of Directors (the "Board") of the District;

WHEREAS, on November 3, 1998, an election was held to approve the creation of the District at which a majority of the votes were cast in favor of authorizing the creation of the District and approving the adoption of the proposed sales and use tax at a rate of one-half of one percent (½%) (the "District's Tax");

WHEREAS, Section 363.301 of the Act provides that a crime control and prevention district is dissolved on the fifth anniversary of the date the district began to levy taxes for district purposes if the district has not held a continuation or dissolution referendum;

WHEREAS, Section 363.251 of the Act provides that the board of a crime control and prevention district may order a referendum to continue the district on its own motion by a majority vote of its members;

WHEREAS, Section 363.2515 of the Act provides that the board of a crime control and prevention district or governing body of the municipality that created the district may specify that the district be continued for a period of 5, 10, 15, or 20 years;

WHEREAS, on May 3, 2003, an election was held to approve the continuation of the District at which a majority of the votes were cast in favor of authorizing the continuation of the District and the District's Tax for a period of ten (10) years;

WHEREAS, the Board of the District has determined that it is necessary and appropriate to order a continuation referendum to continue the District and the District's Tax for an additional period of **[ten (10)]** years;

WHEREAS, the District and the City are located wholly with in the boundaries of Harris County, Texas (the "County"); and

WHEREAS, the Board intends to hold the continuation election on May 11, 2013, and intends to utilize County election precincts, procedures and personnel to hold the District election.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE CITY OF PASADENA, TEXAS, CRIME CONTROL AND PREVENTION DISTRICT:

Section 1. An election (the "Election") shall be held in the City on May 11, 2013, which date is not less than seventy-one (71) days from the date of the adoption hereof, and is a uniform election date pursuant to Section 41.001, Texas Election Code, as amended, for the purpose of submitting the following to the qualified voters of the City:

> Whether the City of Pasadena, Texas, Crime Control and Prevention District should be continued for **[ten (10)]** years and the crime control and prevention district sales tax should be continued for **[ten (10)]** years.

Section 2. Voting in the Election, including early voting, shall be by electronic voting system adopted by the Commissioners Court of the County for use in elections in the County and ballots shall be prepared in accordance with the applicable provisions of the Texas Election Code so the voters may cast their ballots either "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

> WHETHER THE CITY OF PASADENA, TEXAS, CRIME CONTROL AND PREVENTION DISTRICT SHOULD BE CONTINUED FOR **[TEN (10)]** YEARS AND THE CRIME CONTROL AND PREVENTION DISTRICT SALES TAX SHOULD BE CONTINUED FOR **[TEN (10)]** YEARS.

Section 3. The City shall be divided into the County election precincts located and the polling places designated for each election precinct, and the persons appointed by the Commissioners Court of the County to serve as Presiding Judge and Alternate Presiding Judge for each polling place, shall serve as Presiding Judge and Alternate Presiding Judge for the Election.

On Election day, the polls shall be open from 7:00 a.m. to 7:00 p.m. Early voting shall be conducted at the locations established by the Commissioners Court of the County in accordance with the provisions of the Election Code. The persons appointed by the Commissioenrs Court of the County to serve as early voting clerk and deputy early voting clerks shall serve as early voting clerk and deputy early voting clerks for the Election.

The central counting station or stations for counting and tabulation of the results of the Election shall be the same as the central counting station used by the County. The persons appointed by the Commissioners Court of the County to serve as central counting station judge, manager and tabulation supervisor shall serve as central counting station judge, manager and tabulation supervisor for the Election. After the completion of such person's responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns not earlier than the third day (unless a later date is required by the Election Code) or later than the eleventh day after the Election as required by the Election Code and declare the results of the Election.

Section 4. All resident qualified electors of the City shall be permitted to vote in the Election, and on the day of the Election, such electors shall vote at the polling place designated

for the County election precinct in which they reside. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, the Texas Tax Code and the Act, and as may be required by law, all Election materials and proceedings shall be printed in the English, Spanish, Vietnamese and Chinese languages.

Section 5. Notice of the Election, stating in substance the contents of this order, shall be published one time in the English, Spanish, Vietnamese and Chinese languages in a newspaper published within the District's territory at least ten (10) days and no more than thirty (30) days before the Election. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings no later than the twenty-first (21st) day before the Election.

Section 6. The President or Vice President of the Board are authorized to execute and the Secretary of the Board is authorized to attest this Order on behalf of the Board; and the President or Vice President of the Board are authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 7. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election order and the subject matter thereof was discussed, considered and formally acted upon.

Section 8. This Order is effective immediately upon its passage and approval.

Passed on this the 13 day of February, 2013.

President, Board of Directors
City of Pasadena Crime Control and Prevention District

ATTEST:

Secretary
Board of Directors
City of Pasadena
Crime Control and Prevention District

APPROVED:

City Attorney
City of Pasadena, Texas

EXHIBIT "C"

U.S. Department of Justice

Civil Rights Division

TCH:RSB:JER:BJW:maf
DJ 166-012-3
2013-0698

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

April 19, 2013

Margo M. White, Esq.
Andrews Kurth
600 Travis, Suite 4200
Houston, Texas 77002

Dear Ms. White:

This refers to the procedures for conducting the May 11, 2013, special tax and referendum election for the Pasadena Crime Control and Prevention District in Harris County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on March 8, 2013.

The Attorney General does not interpose any objection to the specified change. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

Sincerely,

for T. Eric Rich

T. Christian Herren, Jr.
Chief, Voting Section