

One-Reading Ordinance ordering a special election to be held on November 3, 2026, in the City of Corpus Christi on providing for consideration of amendments to the Charter of the City of Corpus Christi for petitioners' proposed "Fair Water Amendment"; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

WHEREAS, Texas Election Code § 3.004 provides that the governing body shall order elections pertaining to municipal affairs, give notice, and appoint election officers to hold the election;

WHEREAS, the City Council (the Council) of the City of Corpus Christi, Texas (the City), located in Nueces, San Patricio, Aransas and Kleberg Counties, Texas, hereby finds and determines that an election should be held to establish whether the City will be authorized to continue a local sales and use tax as further described in this ordinance (the Election);

WHEREAS, the City will contract with the county clerk of Nueces County (the County Clerk) to conduct all aspects of the Election;

WHEREAS, the City does not currently have registered voters in San Patricio, Aransas, or Kleberg Counties but, to the extent necessary, the City may also contract with these counties to conduct the Election;

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the Participants), as provided pursuant to an election services agreement, a joint election agreement, or similar contract between or among (as applicable) the City, any Participants, and the respective election officials of Nueces, San Patricio, Aransas or Kleberg Counties, entered into according to the Texas Election Code, as amended (the Code);

WHEREAS, Nueces County will be conducting an election on November 3, 2026, and the City desires to conduct its election on that date to obtain the efficiencies of a joint election;

WHEREAS, the City has received a petition to amend the City Charter, ARTICLE IX, to add Section 12. Fair Water Amendment;

WHEREAS, the Texas Local Government Code §9.004 requires the City Council to submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality;

WHEREAS, the City Secretary has verified through statistical sampling that a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality has been submitted to the City;

WHEREAS, the City Council intends to hold an election on the question of providing for consideration of amendments to the Charter of the City of Corpus Christi per Texas Local Government Code §9.004.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, THAT:

SECTION 1. A Special City election (hereinafter the "Election") shall be held in the City of Corpus Christi, Texas, on November 3, 2026, which is a uniform election date under the Code not less than 78 days from the date of the adoption of this ordinance, for the purpose of submitting to the voters of the City ballot propositions on the question of providing for consideration of an amendment to the Charter of the City of Corpus Christi pursuant to a petition for a charter amendment.

SECTION 2. At the Election, the voters shall be presented with the following propositions (in English and Spanish) in the form prescribed by the Texas Election Code:

PROPOSITION B

CITY OF CORPUS CHRISTI CHARTER AMENDMENT REGARDING INDUSTRIAL WATER DROUGHT SURCHARGE AND CURTAILMENT

FOR _____
AGAINST _____

Shall Article IX of the City Charter be amended to terminate and prohibit programs that exempt large industrial water users from drought surcharges or curtailment requirements during declared drought stages, and require large industrial water users to pay drought surcharges at rates set by the City Council in the March 2025 Drought Contingency Plan?

SECTION 3. Adoption of PROPOSITION B would amend the City Charter, ARTICLE IX. - PUBLIC UTILITIES, FRANCHISES AND LEASES, to add Section 12, as follows:

Section 12. Fair Water Amendment.

(a) Findings and Single Purpose.

The voters of the City of Corpus Christi find and declare that:

- 1. Corpus Christi is subject to recurring and increasingly severe drought conditions;**
- 2. Large Industrial Users consume a disproportionate share of the City's water supply;**
- 3. Programs that exempt Large Industrial Users from Drought Surcharges or conservation, allocation or curtailment requirements during Declared Drought Stages undermine fairness and public confidence in the City's drought response;**
- 4. The mandatory levy and collection of Drought Surcharges for Large Industrial Users is necessary to allocate drought-related costs in fair proportion to water use; and**
- 5. The Drought Surcharges for Large Industrial Users set forth herein reflect those adopted by the Corpus Christi City Council in March 2025, are intended to regulate and deter water use during a period of drought in order to achieve necessary water conservation, and are intended to be fair, reasonable, and proportionate to use.**

This Section is intended to achieve the single purpose of fairness in cost-sharing and conservation obligations during declared drought conditions, and each provision is related and necessary to that purpose.

(b) Intent.

This Section is adopted to ensure that during Declared Drought Stages:

1. No Large Industrial User may avoid paying applicable Drought Surcharges or meeting applicable drought-stage conservation, allocation or curtailment requirements through payment of an alternative fee or exemption;
2. All Large Industrial Users shall bear a proportionate share of drought-related costs through the mandatory levy and collection of applicable Drought Surcharges; and
3. All Large Industrial Users shall meet applicable drought-stage conservation, allocation, and curtailment requirements.

(c) Definitions.

For purposes of this Section:

1. Water.
Treated and raw water, excluding reclaimed water.
2. Drought Contingency Plan (DCP).
The City of Corpus Christi Drought Contingency Plan adopted pursuant to state law, including the plan adopted by the Corpus Christi City Council in March 2025, and any successor.
3. Declared Drought Stage.
Any drought stage declared per the provisions of the DCP and City Code, including Stage 1, Stage 2, Stage 3, and Water Emergency, or successor stages with equivalent effect.
4. Drought Surcharge.
A temporary rate imposed during a Declared Drought Stage on water use exceeding a threshold amount, as provided by this Section.
5. Wholesale Customer.
Any entity that purchases water from the City of Corpus Christi through a contract that authorizes the resale of water to third parties or that is expressly designated as a wholesale customer in any water supply agreement with the City.
6. Large Industrial User.
Any water customer of the City of Corpus Christi or water customer of a Wholesale Customer that: (i) uses water to support industrial processing (defined as converting

materials of a lower order of value into forms having greater usability and commercial value), large-scale data-center operations, or large-scale energy generation excluding hydroelectric power, and excluding agricultural uses; and (ii) has water use of one hundred thousand (100,000) gallons or more per day based on total metered water consumption in any monthly billing period divided by the number of days in that billing cycle, as reflected in the billing records of the City or Wholesale Customer.

7. Exemption Program.

Any ordinance, fee, contract, credit, rebate, program or plan that exempts any Large Industrial User from Drought Surcharges and/or drought-stage conservation, allocation, or curtailment requirements established by the DCP or City Code.

(d) Prohibition and Termination of Exemption Programs.

1. Prohibition.

Upon voter approval of this Section, neither the City nor any Wholesale Customer shall create, renew, extend, or authorize any Exemption Program for Large Industrial Users.

2. City Program Termination Notice.

Within thirty (30) days of voter approval of this Section, the City shall issue written notice to each of the City's Large Industrial Users and each Wholesale Customer of intent to terminate any Exemption Program then in effect, with termination becoming effective no later than the first business day after expiration of a five-year notice period.

3. Wholesale Customer Program Termination Notice.

Within thirty (30) days of voter approval of this Section, each Wholesale Customer shall issue written notice to each of the Wholesale Customer's Large Industrial Users of intent to terminate any Exemption Program then in effect, with termination becoming effective no later than the first business day after expiration of a five-year notice period.

4. Encumbrance of Existing Exemption Program Funds.

To the extent practicable, all funds held in any dedicated City account established for any Exemption Program shall be fully expended or encumbered for purposes authorized by the City Code prior to termination of such Exemption Program.

(e) Mandatory Drought Surcharges for Large Industrial Users.

1. Mandatory Levy by City.

Beginning immediately upon termination of Exemption Programs, during a Declared Drought Stage, the City shall levy and collect Drought Surcharges from each of the City's Large Industrial Users.

2. Mandatory Levy and Remittance by Wholesale Customers.

Beginning immediately upon termination of Exemption Programs, during a Declared Drought Stage, each Wholesale Customer shall levy and collect Drought Surcharges from each of the Wholesale Customer's Large Industrial Users, based on the same threshold amount and rates then applicable to the City's Large Industrial Users, and shall remit such fees to the City.

3. Threshold Amount and Rates.

Drought Surcharges for Large Industrial Users shall apply to all water use exceeding a threshold amount of no more than twelve million eight hundred forty-two thousand (12,842,000) gallons per month, at rates no less than the following:

Stage 1: no surcharge.

Stage 2: \$3.00 per one thousand (1,000) gallons.

Stage 3: \$6.00 per one thousand (1,000) gallons.

Water Emergency: \$12.00 per one thousand (1,000) gallons.

(f) Conservation Requirements for Large Industrial Users.

1. Compliance.

Upon termination of Exemption Programs, during a Declared Drought Stage, all Large Industrial Users, whether served by the City or by a Wholesale Customer, shall be subject to and comply with all drought-stage conservation, allocation, and curtailment requirements contained in the Drought Contingency Plan and/or City Code. Wholesale Customers shall enforce such requirements upon each of the Wholesale Customer's Large Industrial Users.

(g) Anti-Circumvention.

The City and Wholesale Customers shall prohibit all practices intended or having the effect of evading customer classification as a Large Industrial User.

(h) Protection for Existing Contracts.

Nothing herein requires the City to breach an existing express contractual term. This Section shall fully apply to the maximum extent permitted by law to all contracts executed, renewed, or amended after voter approval of this Section.

(i) Police Power, Implementation and Adoption.

This Section is an exercise of the City's police power to protect public health, safety, and welfare through equitable water conservation during drought. This Section is to

be implemented in accordance with Texas Water Code §11.039, TCEQ drought plan rules, and any other applicable law. The Corpus Christi City Council shall adopt revisions to City Code, retail and wholesale water contracts, and other instruments as necessary to fully implement this Section and carry out its intent.

(i) Severability.

If any provision of this Section is held invalid, the remaining provisions shall remain in full force and effect.

SECTION 4. At the Election, all the qualified voters of the City of Corpus Christi shall be permitted to vote.

SECTION 5. Nueces County will select the voting equipment to be used in the Election in accordance with the Texas Election Code. The Election shall be held at the polling places in the regularly prescribed precincts of the City of Corpus Christi, as determined by the Nueces County Clerk (a list of which will be approved and attached hereto as **Attachment A**, and incorporated herein, when such polling places are determined by Nueces County). The Election shall be held in accordance with the Election Laws of the State of Texas. The polls shall be open from 7:00 a.m. to 7:00 p.m. on the date of the Election. Nueces County will ensure that its voting equipment complies with State law.

SECTION 6. The City Secretary, or her designee, in coordination with the Nueces County Clerk (the Election Official) or the designee thereof, as necessary or desirable, will identify and formally approve the appointment of the Presiding Judges, Alternative Presiding Judges, Election Clerks, and all other election officials, together with any necessary changes to election practices and procedures and can correct, modify, or change the Attachments to this Ordinance based upon the final locations and times agreed upon by the Election Official and the City to the extent permitted by applicable law.

SECTION 7. The City Secretary shall conduct the Election as directed by ordinance of the City Council and by law in accordance with the joint election agreement to be entered into with Nueces County. The City Secretary is directed to provide such demographic data and information as required by law.

SECTION 8. Early voting in person at each of the temporary branch polling places shall be conducted as follows:

Such early voting in person may be conducted at the main early voting polling place located in the first-floor lobby of the Nueces County Courthouse, 901 Leopard, and at the temporary branch polling places as determined by the Nueces County Clerk (a list of which will be approved and attached hereto as **Attachment B**, and incorporated herein, when such temporary branch polling places are determined by Nueces County). Each branch polling place and the main early voting polling place shall serve all Election precincts.

SECTION 9. The City Secretary is directed to post and publish such election notices as are required by the election laws of the State of Texas. The City Secretary is further appointed as the authority and officer responsible for the conduct of said Election and is hereby authorized and directed to make all necessary arrangements for the holding of said Election in accordance with and subject to the laws of this State including but not limited to coordinating the election process,

including use of tabulation equipment, supplies and printing of ballots, in accordance with the joint election agreement to be executed with Nueces County.

SECTION 10. The Election is expected to be conducted in accordance with an agreement between Nueces County and the City of Corpus Christi to hold a joint election on November 3, 2026 (which shall be approved and attached hereto as **Attachment C** and incorporated herein). The City Manager or designee is authorized to execute a Joint Election Agreement with Nueces County for the conduct of the election in accordance with this ordinance. The terms of the Agreement will be consistent with the terms of the 2024 Joint Election Agreement. The City Secretary is authorized to approve all lawful changes and additions to the procedures provided herein in order to implement such agreement, including but not limited to provisions for substations.

SECTION 11. The City Manager or designee is authorized to execute a Contract for Election Services with Nueces County for conduct of the Election in accordance with this ordinance and is attached hereto as **Attachment D** and incorporated herein. The terms of the contract will be consistent with the terms of the 2024 Contract for Election Services.

SECTION 12. By approving and signing this ordinance, the Mayor officially confirms and orders, as the Mayor's actions, all matters recited in this ordinance which by law come within the Mayor's jurisdiction.

SECTION 13. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance or the ballot herein shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect of its purpose.

SECTION 14. This section constitutes a written request by the mayor or majority of the members of the Council for this ordinance to be passed finally on the date of introduction due to an emergency. The City Council finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs; and suspends the City Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure.

PASSED and APPROVED on the _____ day of _____, 2026.

ATTEST:

Paulette Guajardo, Mayor

Rebecca Huerta, City Secretary

ATTACHMENT A

ELECTION PRECINCTS AND ELECTION DAY POLLING LOCATIONS

Election Day: Tuesday, November 3, 2026

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

Nueces County participates in the Countywide Polling program under Section 43.007 as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the vote centers identified below. (Aransas County, Kleberg County, and San Patricio County also participate in Countywide Polling Place programs).

[TO BE INSERTED – POLLING PLACES IN THE REGULARLY PRESCRIBED PRECINCTS OF
THE CITY OF CORPUS CHRISTI]

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**ATTACHMENT B
MAIN AND TEMPORARY BRANCH POLLING
PLACES, DATES, AND TIMES**

Early voting begins Monday, October 19, 2026 and ends on Friday, October 30, 2026

Early Voting Clerk: Kara Sands, Nueces County Clerk
Early Voting Clerk's Street Address: 901 Leopard Street
Corpus Christi, TX 78401

Presiding Judge of Early Voting Ballot Board: TBA

Locations, Dates, and Hours of Main Early Voting Polling Location

Nueces County Courthouse
901 Leopard Street
Corpus Christi, TX 78401

Dates		Times
Monday,	-Saturday,	8:00 a.m. – 5:00 p.m.
Sunday,		Noon – 6:00 p.m.
Monday,	– Friday,	7:00 a.m. – 7:00 p.m.

Any voter who is entitled to vote an early ballot by personal appearance may do so at the Main Early Voting Site.

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Location, Dates, and Hours of Temporary Branch Polling Places

[TO BE INSERTED – TEMPORARY BRANCH POLLING PLACES AND DAYS AND HOURS
FOR VOTING]

EARLY VOTING BY MAIL

Applications for Ballot by Mail for the General Election must be received (not postmarked) no later than the close of business (5:00 p.m.) on Friday, October 23, 2026.

Applications should be mailed to:

Kara Sands, Nueces County Clerk
Attn: Elections Department
P.O. Box 2627
Corpus Christi, TX 78403

Applications may be emailed to:

votebymail@nuecesco.com

*Note: if emailing an application, the original must also be mailed to the County Clerk

Nueces County Clerk Website:

<https://www.nuecesco.com/county-services/county-clerk/elections-department>

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Attachment C
Joint Election Agreement

[TO BE INSERTED]

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**Attachment D
Contract for Election Services**

[To be inserted]

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