### ORDER DECLARING ELECTION OF UNOPPOSED CANDIDATE AND CANCELING NOVEMBER 5, 2024 DIRECTOR ELECTION

STATE OF TEXAS §
COUNTY OF TRAVIS §

WHEREAS, the Board of Directors of Lake Pointe Municipal Utility District ("Board") called a director election for November 5, 2024 ("Election"); and

WHEREAS, the deadline to submit an application for a place on the ballot for the Election was August 19, 2024, and the deadline to file an application for write-in candidacy for the Election was August 26, 2024; and

WHEREAS, the Secretary of the Board is the authority responsible for having the official ballots prepared for the Election, and on the 12<sup>th</sup> day of September, 2024, submitted to the Board a "Certification of Unopposed Status of Candidates for the November 5, 2024 Director Election," attached as **Exhibit "A"**; and

WHEREAS, under Section 2.053 of the Texas Election Code, if the Board receives a Certification of Unopposed Status, it may declare each unopposed candidate elected to office.

#### NOW, THEREFORE, the Board orders that:

- 1. The "Certification of Unopposed Status of Candidates for the November 5, 2024, Director Election," signed on the 12<sup>th</sup> day of September, 2024, is accepted.
- 2. David V. Lewis is elected to office as Director for Lake Pointe Municipal Utility District, Place #4. His term will begin on November 5, 2024, and he will begin his duties as Director after executing a Statement of Elected Officer and taking the Oath of Office.
- 3. No persons submitted an application for a place on the ballot for Director of Lake Pointe Municipal Utility District, Place 5. After November 5, 2024, Place 5 will have an open Director seat until the Board appoints a person to fill the seat as required by the Texas Water Code. An appointed Director will begin duties as Director after executing a Statement of Appointed Officer and taking the Oath of Office.
- 4. The Election is canceled.
- 5. This Order will constitute a Certificate of Election, and the Secretary of the Board is directed to issue and deliver a copy to each candidate as required by Section 67.016 of the Election Code and to post a copy of this Order at the polling place on Election Day, as required under Section 2.053 of the Election Code.

Passed and approved on the 12th day of September, 2024.

(SEAL)

LAKE POINTE MUNICIPAL UTILITY DISTRICT

Terry Elam, President Board of Directors

ATTEST:

Jody Flaws, Secretary/Treasurer

Board of Directors

# EXHIBIT "A" CERTIFICATION OF UNOPPOSED STATUS OF CANDIDATE FOR THE NOVEMBER 5, 2024 DIRECTOR ELECTION

#### LAKE POINTE MUNICIPAL UTILITY DISTRICT

### CERTIFICATION OF UNOPPOSED STATUS OF CANDIDATES FOR THE NOVEMBER 5, 2024 DIRECTOR ELECTION

The undersigned, the Secretary of the Board of Directors of Lake Pointe Municipal Utility District ("District"), is the authority responsible for having the official ballots prepared for the District's November 5, 2024 Director Election for Place #4 and Place #5 and certifies that:

- 1. Two Directors of the District were to be elected at the November 5, 2024, Director Election: one Director for Place #4, and one Director for Place #5.
- 2. The deadline for filing an application for a place on the ballot was August 19, 2024.
  - i. One candidate filed for Place #4 on the ballot.
  - ii. No candidates filed for Place #5 on the ballot.
- 3. The deadline for filing an application for write-in candidacy was August 26, 2024, and no write-in candidates filed.
- 4. David V. Lewis is the unopposed candidate for election as Director for the District, Place #4.
- 5. The District Director Place #5 seat will be vacated upon the expiration of the current Place 5 Director's term on November 5, 2024. The District's Board will appoint a person to that Place in accordance with the requirements of the Texas Water Code.
- 7. No proposition is scheduled to appear on the ballot.

Executed this the 12th day of September 2024.

Jody Flaws, Secretary/Treasurer

Board of Directors

#### **CERTIFICATE FOR ORDER**

STATE OF TEXAS

COUNTY OF TRAVIS

The undersigned officer of the Board of Directors ("Board") of Lake Pointe Municipal Utility District hereby certifies as follows:

1. The Board of Lake Pointe Municipal Utility District ("District") convened in a regular meeting on the 12<sup>th</sup> day of September, 2024, at 11700 Sonoma Drive, Austin, Texas 78738, and the following officers and members of the Board:

Terry Elam - President
Jason Rew-Hunter - Vice President
Jody Flaws - Secretary/Treasurer

David Lewis - Director Michael Jopling - Director

were present, except Director(s) (24) - Hunter, thus constituting a quorum. Among other business, an:

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was introduced for the consideration of the Board. It was then moved and seconded that the Order be adopted, and, after discussion, the motion prevailed and carried by majority vote.

2. A true, full and correct copy of the Order adopted at the meeting described above is attached to this certificate. The Order has been recorded in the District's minutes of the meeting. The persons named in the paragraph above are the duly chosen, qualified and acting officers and members of the Board as indicated in paragraph 1. Each of the officers and members of the Board was notified officially and personally, in advance, of the time, place and purpose of the Board meeting and that the Order would be introduced and considered for adoption at the meeting. Each of the officers and members consented, in advance, to holding the meeting for such purpose. The meeting was open to the public as required by law; and public notice of the time, place and subject of the meeting was given as required by Chapter 551 of the Government Code.

## SIGNED AND SEALED the day of September, 2024.

(SEAL)

Jody Flaws Secretary Treasurer Board Directors

STATE OF TEXAS **COUNTY OF TRAVIS** 

This instrument was acknowledged before me on the day of September, 2024, by Jody Flaws, Secretary/Treasurer of the Board of Directors of Lake Pointe Municipal Utility District, on behalf of the District.

(Seal)

