

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

**ORDER CALLING ELECTION OF DIRECTORS
ON NOVEMBER 2, 2021**

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

The Board of Directors of the Southwestern Travis County Groundwater Conservation District met in open meeting, open to the public after due notice, through videoconference call on Wednesday, August 11, 2021 at 9:00 AM.

WHEREUPON, among other business conducted by the Board, Director Tim Van Ackeren introduced the Order set out below and moved its adoption, which motion was seconded by Director Tricia Davis, and, after full discussion and the question being put to the Board, said motion was carried by the following vote:

"Aye" 5 ; "No" 0 ; and Abstaining 0 .

The Order thus adopted is as follows:

WHEREAS, the Southwestern Travis County Groundwater Conservation District (the "District"), a political subdivision of the State of Texas, was created by House Bill 4345, Act of the 85th Texas Legislature, Regular Session, codified as Chapter 8871 of the Texas Special District Local Laws Code ("Enabling Act"), and pursuant to the authority of Article XVI, § 59 of the Texas Constitution, as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the District's Enabling Act; and

WHEREAS, in accordance with the District's Enabling Act, the District's Temporary Board of Directors held an election to confirm the creation of the District and to elect initial directors on November 5, 2019.

WHEREAS, Section 41.001(a) of the Texas Election Code establishes the first Tuesday after the first Monday in November as one of the uniform election dates for the State of Texas;

WHEREAS, Section 31.092 of the Texas Election Code authorizes the county elections officer to contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform election services in any one or more elections ordered by the political subdivision;

WHEREAS, the District Board of Directors ("Board") intends to enter into an Election Services Agreement with Travis County for the provision of election services;

WHEREAS, the Board wishes to proceed with the ordering of a directors election to be held on November 2, 2021; and

WHEREAS, in the event the directors' election is uncontested, the Board of Directors will follow the procedures for election of unopposed candidate established by Section 2.051-2.053 of the Texas Election Code.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT THAT:

Section 1: The above recitals are true and complete and are incorporated into this Order for all purposes.

Section 2: The District has a total of seven (7) directors: (1) one director residing in the corporate limits of the City of Bee Cave to be elected by voters residing in the City of Bee Cave; (2) one director residing in the corporate limits of the City of Lakeway or Village of the Hills to be elected by voters residing in the City of Lakeway and Village of the Hills; (3) one director residing in the corporate limits of the City of West Lake Hills to be elected by voters residing in the City of West Lake Hills; and (4) four directors residing inside the district and outside the corporate limits of the City of Bee Cave, City of Lakeway, Village of the Hills, and City of West Lake Hills, to be elected by voters residing inside the district and outside the corporate limits of the City of Bee Cave, City of Lakeway, Village of the Hills, and City of West Lake Hills, and who each use groundwater as a source of water supply for one or more beneficial uses at their respective residences.

A regularly scheduled directors election is hereby ordered to be held on November 2, 2021 for the purpose of electing directors for the District, each of whom shall serve a four (4) year term, for the following three (3) positions:

- (A) Director Serving the City of Lakeway and Village of the Hills;
- (B) Director Serving Travis County to be elected by voters residing inside the District and outside the corporate limits of the City of Bee Cave, City of Lakeway, Village of the Hills, and City of West Lake Hills; and
- (C) Director Serving Travis County to be elected by voters residing inside the District and outside the corporate limits or the City of Bee Cave, City of Lakeway, Village of the Hills, and City of West Lake Hills.

Section 3: It is hereby found and determined that notice of the meeting at which this order is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this order was discussed and acted on.

Section 4: The Board of Directors has entered into an Election Services Contract with Travis County for the conduct of the election. Travis County Clerk Dana DeBeavor is the Elections Administrator for Travis County.

The polling locations used on Election Day will be those polling places established by Travis County and set forth in **Exhibit A**.

Pursuant to the Election Services Contract, the Elections Administrator in Travis County shall select and appoint a presiding judge, an alternate presiding judge, and clerks as necessary. The presiding judge, alternate presiding judge, and clerk will perform the functions and duties of their respective positions that are provided by state law. The Election Administrator will also designate the

presiding judge of the Early Ballot Boards, the members of which shall be the election officers serving the election precincts as provided in Section 87.004 of the Texas Election Code.

Section 5: Voting in said election during early voting by personal appearance and on Election Day shall be by the use of ESNS Voting System, which shall have available both English and Spanish and which shall conform to the requirements of the Texas Election Code. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judges. Any person interested in applying to be a candidate for the office of director may obtain an application to have his or her name printed on the ballot at the offices of the District, 8656A W. Highway 71, Suite 224, Austin, Texas 78735, between the hours of 8:00 a.m. and 5:00 p.m. The deadline for candidates to file applications to have their name on the ballot for those positions subject to the regular election that shall serve a four (4) year term is 5:00 p.m. on August 16, 2021, and the deadline for write-in candidates to file a declaration of write-in candidacy for those positions subject to the regular election that shall serve a four (4) year term is 5:00 p.m. on August 20, 2021.

Section 6: The Elections Administrator for Travis County shall serve as the Early Voting Clerk to conduct early voting. Early voting by personal appearance will occur from October 18, 2021, through October 29, 2021, with the exception of official state holidays, during the days, hours and at the early voting locations established by Travis County, as set forth on the attached **Exhibit B**.

Applications for ballots by mail and ballots to be voted by mail may be sent to the Early Voting Clerk via email to ebbm@traviscountytexas.gov, via fax to 512-854-3969, or via mail to Dana Debeauvoir, Travis County Clerk – Elections Division, PO Box 149325, Austin, Texas 78714. The last day to submit an application for ballot by mail is October 22, 2021.

Section 7: The Secretary of the Board is hereby directed to determine if the candidates are unopposed for election based on the following conditions:

- (1) Only one candidate's name is to be placed on the ballot for each director position available; and
- (2) No candidate's name is to be placed on a list of write-in candidates for the office of director.

If such circumstances exist, the Secretary of the Board shall certify in writing which, if any, candidates are unopposed for election to the office of director. The certification shall be delivered to the Board of Directors as soon as possible after the filing deadlines for placement on the ballot and list of write-in candidates. On receipt of the certification, the Board of Directors may declare each unopposed candidate elected to office, the election for that position will not be held, and a copy of the order declaring the candidate elected shall be posted at the polling place on Election Day.

Section 8: To the extent the results of the election are not declared in accordance with Section 7 of this Order, the Secretary of the Board is hereby directed to provide notice of this election, in English and Spanish, by any one or more of the following methods in accordance with Section 4.003, Texas Election Code:

- (1) By publishing the notice at least once, not earlier than the 30th day or later than the 10th day before Election Day in a newspaper of general circulation in the territory if none is published in the jurisdiction of the authority responsible for giving the notice; or
- (2) By posting, not later than the 21st day before Election Day, a copy of the notice at a public place in each election precinct that is in the jurisdiction of the authority responsible for giving the notice; or
- (3) By mailing, not later than the 10th day before Election Day, a copy of the notice to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice.

In addition to the above methods of providing notice, the Secretary of the Board shall have notice of this election, in English and Spanish, posted not later than the 21st day before the election on the bulletin board used for posting notices of the meetings of the Board of Directors. Such notice shall remain posted continuously through Election Day.

Section 9: The election shall be held and conducted and returns made to this Board of Directors in accordance with the Texas Election Code and Chapter 36, Texas Water Code.

Section 10: Pursuant to Section 31.123, Texas Election Code, the Secretary of the Board hereby appoints Lane Cockrell as the District's agent for this election.

Section 11: The Board President and Secretary of the Board of Directors are authorized and directed to take any action necessary to carry out the provisions of this order.

PASSED AND APPROVED THE 11th day of August, 2021.

ATTEST:


Richard Scadden, President
Board of Directors



Tim Van Ackeren, Secretary
Board of Directors

EXHIBIT A
Election Day Polling Place Information

To be added when available

EXHIBIT B
Early Voting Polling Place Information

To be added when available