

March 2, 2021

VIA E-MAIL: ccsearches@co.hays.tx.us

Elaine H. Cárdenas
Hays County Clerk
405 Martin Luther King, Jr.
Georgetown, Texas 78626

Re: North Hays County Municipal Utility District No. 1,
May 1, 2021 Election

Dear Ms. Cárdenas:

As you are aware, the North Hays County Municipal Utility District No. 1 (the "District") is holding an election on May 1, 2021 concerning the District's Director election. On behalf of the Board of Directors of the District and as required by Section 4.008 of the Texas Election Code, we have enclosed a copy of the Order calling the District's election ("Order Calling Election"), which serves as notice of said election. As you are likely aware, pursuant to House Bill 933 (2019 Legislative Session), Section 4.008(a) of the Texas Election Code now requires the County to post notice of the election, including the location of each polling place, on the County's Internet website.

Please print and execute 2 copies of the acknowledgment below as evidence of the District's compliance with Section 4.008 of the Election Code and return both originals to me at your convenience for the District's records. If you need anything further, please do not hesitate to contact me.

Very truly yours,

Anthony S. Corbett

Anthony S. Corbett

Enclosure

cc: Hays County Elections Administrator
janderson@co.hays.tx.us

Hays County Clerk
March 2, 2021
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ACKNOWLEDGED:

Elaine H. Cárdenas, County Clerk

**AN ORDER OF NORTH HAYS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1
CALLING AN ELECTION FOR DIRECTORS**

WHEREAS, North Hays County Municipal Utility District No. 1 (the “*District*”) is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Commission on Environmental Quality (“*TCEQ*”), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, pursuant to a Resolution adopted by the Board of Directors of the District on January 30, 2012 in accordance with the authority set forth in Section 41.0052 of the Texas Election Code, as then codified, the District changed the date on which it holds its general election for directors from the May uniform date in even-numbered years to the May uniform election date in odd-numbered years;

WHEREAS, Section 31.092(a) of the Election Code authorizes the governing body of a political subdivision to contract with the county election officer to perform election services in any election ordered by the political subdivision;

WHEREAS, Section 271.002 et seq. of the Election Code authorizes joint elections to be held by certain entities, including two or more political subdivisions in all or part of the same territory, provided the governing bodies enter into an agreement to hold the election jointly;

WHEREAS, pursuant to Section 271.003 of the Election Code, a regular county polling place may be used for a common polling place in a joint election, and the voters of a political subdivision may be served in a joint election by a common polling place outside the boundary of the political subdivision if the location can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the election; and

WHEREAS, the Board of Directors of the District, in an open, public meeting, proper notice of which has been given as required by law, has given consideration to calling a directors’ election for May 1, 2021.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NORTH HAYS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1 THAT:

Section 1: The matters and facts set out in the preamble of this Order are hereby found and declared to be true and correct.

Section 2: An election shall be held between the hours of 7:00 a.m. and 7:00 p.m., on the 1st day of May, 2021 in the event the election is not cancelled as provided by law. At said election, there shall be submitted to the duly qualified resident electors of the District the matter of electing three (3) directors.

Section 3: The polling places for holding the election are those polling places designated by Hays County to serve the county's regular election precinct within the District, and are more particularly identified on **Exhibit "A"** attached hereto, which exhibit is incorporated herein by reference for all purposes. The polling locations set forth on the exhibit may be changed from time to time to reflect any changes to the polling locations established by Hays County. The Board specifically finds that such locations can adequately and conveniently serve the affected voters of the District and will facilitate the orderly conduct of the election. After duly considering the requirements of the Election Code, the Board hereby finds that said polling places to be proper places for conducting the election.

Section 4: The boundaries of the District are established as and shall constitute one election precinct for the election, and the Board of Directors of the District hereby appoints the Hays County election officials as officers of the election in the event the election is not cancelled as permitted by law.

Section 5: The Hays County Administrator is conducting the election pursuant to an election agreement (the "*Election Agreement*") between the District and Hays County as authorized under Section 31.092 of the Texas Election Code. The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and a joint election agreement to be entered into between the District and the other participating entities located in Hays County that are holding an election on May 1, 2021. Hays County's election equipment shall be used in the election. The election judges and clerks shall be appointed in accordance with the Election Agreement and the Texas Election Code, as amended.

Section 6: Early voting in the election by personal appearance shall occur on each day from April 19, 2021 through April 27, 2021, at the times and places listed on **Exhibit "B"**. The early voting clerk shall keep the early voting place open between the hours shown on **Exhibit "B"** and at the places shown on **Exhibit "B"**. The Hays County Elections Administrator is the Early Voting Clerk. Application for ballots by mail should be sent to Elections Division, Hays County, 712 South Stagecoach, San Marcos, Texas 78666-5999. The early voting clerk's email address to which applications for ballot by mail and ballots may be sent is elections@co.hays.tx.us.

Section 7: Written application to have a person's name printed on the ballot as a candidate for the office of director of the District, signed by the candidate must be received by the Secretary of the Board of Directors of the District not later than 5:00 p.m. on February 12, 2021. No person's name shall be placed on the ballot unless he or she is at least eighteen (18) years of age, a citizen of the United States, a resident of the State of Texas, either owns land subject to taxation in the District or is a qualified voter within the District, and otherwise satisfies the qualifications for holding a public office contained in the Texas Election Code. The Secretary is authorized to determine the qualifications of candidates for office. If the Secretary determines that an applicant is not qualified, it shall give written notice to the applicant of the reason for the rejection. Blank applications and copies of this Order may be obtained from the District's Attorney, McLean & Howard, L.L.P., 901 South MoPac Expressway, Building II, Suite 225, Austin, Texas 78746. Declarations of write-in candidacy must be received by 5:00 p.m. on February 16, 2021.

Section 8: Lauren Hughes is hereby appointed as the District's agent to perform various election duties for the election, including maintaining in such agent's office 901 South MoPac

Expressway, Building II, Suite 225, Austin, Texas 78746, the documents, records, and other papers relating to the election that by law are placed in the custody of the Board of Directors and that are public information. The agent shall receive any personally delivered document relating to the election that the Board of Directors is authorized or required to receive and shall make available for inspection and copying, in accordance with the applicable statutes and regulations, the documents, records, and other papers that are required to be maintained in the agent's office and may perform any other ministerial duties in connection with the election that may lawfully be performed by an employee of the District.

Section 9: Voting shall be by the use of direct recording electronic system. The Hays County Elections Administrator may utilize a central counting station as provided by Section 127.001 *et seq.* of the Texas Election Code. Oral assistance in Spanish shall be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the presiding judge or early voting clerk.

Section 10: When the number of candidates to appear on the ballot exceeds the number of offices to be filled, the order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing to be conducted by the Secretary. The Secretary shall post notice within the District, at least seventy-two (72) hours prior to the time at which the drawing is to be held, of the time and place of the drawing, and shall also mail notice of the date, hour, and place of the drawing to each candidate, at the address stated on the candidate's application for a place on the ballot, not later than the fourth day before the day of the drawing. Each candidate involved in the drawing or a representative designated by the candidate shall have a right to be present and observe the drawing.

Section 11: All resident, qualified electors of the District shall be entitled to vote at the election.

Section 12: The election shall be held and conducted and returns made to this Board of Directors in accordance with the Texas Election Code, as modified by Chapters 49 and 54, Texas Water Code.

Section 13: Pursuant to Section 49.103(h), Texas Water Code, the Secretary, upon receipt of certification that each candidate whose name is to appear on the ballot is unopposed, is authorized to post notice that the election is not to be held at the polling place that would have been used at the election. The notice of cancellation shall be posted on or before April 22, 2019.

Section 14. Immediately after the election, the officers holding same shall make and deliver the returns of the results thereof to the Secretary to the Board of Directors, who shall safely keep them and deliver same to the Board of Directors at its next meeting, at which time the Board shall canvass said returns and declare the results of said election.

Section 15: The Secretary to the Board is hereby directed to cause notice of the election to be provided by posting and/or publication, as directed by the Board of Directors of the District, in accordance with the requirements of the Texas Election Code. The Secretary is further directed to deliver notice of the election to the County Clerk of Hays County not later than the 60th day before

election day. In the event the election is cancelled, no posting or publication of the notice is required.

Section 16: The rate of pay for judges and clerks of the election shall be determined according to the election services agreement to be entered into by the District and Hays County.

Section 17: The President and Secretary are authorized and directed to take any action necessary to carry out the provisions of this Order.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED the 11th day of February, 2021.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(SEAL)

EXHIBIT "A"

ELECTION DAY POLLING LOCATION(S)



**Vote Center Locations for Early Voting and Election Day
2021 May Elections (Local Jurisdictions)**

Early Voting: April 19 – April 27, 2021

Monday, April 19	7 am – 7 pm
Tuesday, April 20 – Friday, April 23	8 am – 5 pm
Saturday, April 24	10 am – 2 pm
Monday, April 26	7 am – 7 pm
Tuesday, April 27	8 am – 5 pm

Election Day: May 1, 2021

Saturday, May 1, 2021:	7 am – 7 pm
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Jennifer Anderson, Elections Administrator: (512) 393-7310

Early Voting	Election Day	<u>San Marcos CISD</u>	
✓	✓	Broadway	401 Broadway Street #A, San Marcos
	✓	Dunbar Center	801 Martin Luther King Drive, San Marcos
✓	✓	Hays County Government Center	712 South Stagecoach Trail, San Marcos
	✓	San Marcos Housing Authority/ CM Allen Homes	820 Sturgeon Drive, San Marcos
✓	✓	Texas State University Performing Arts Center	405 Moon Street, San Marcos
		<u>Hays CISD</u>	
✓		Buda Elementary Upper Campus (Historic School Site – Kunkel Room)	300 San Marcos Street, Buda
	✓	Hays Hills Baptist Church	1401 North FM 1626, Buda
✓	✓	HCISD Arnold Transportation Building	21003 Interstate 35 Frontage Road, Kyle <i>(Hays and Caldwell Counties)</i>
	✓	HCISD Transportation Department	2385 High Road, Umland <i>(Hays and Caldwell Counties)</i>
	✓	McCormick Middle School	5700 Dacy Lane, Buda
	✓	Wallace Middle School	1500 West Center Street, Kyle
		<u>City of Dripping Springs and DSISD</u>	
✓	✓	Dripping Springs City Hall	511 Mercer Street, Dripping Springs
	✓	Hays County Precinct 4 Office	195 Roger Hanks Parkway, Dripping Springs

EXHIBIT "B"

EARLY VOTING LOCATIONS AND TIME PERIODS



**Vote Center Locations for Early Voting and Election Day
2021 May Elections (Local Jurisdictions)**

Early Voting: April 19 – April 27, 2021

Monday, April 19	7 am – 7 pm
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