AN ORDER OF THE BOARD OF DIRECTORS OF FERN BLUFF MUNICIPAL UTILITY DISTRICT; CALLING A DIRECTORS ELECTION TO BE HELD WITHIN SAID DISTRICT; PROVIDING FOR THE CONDUCT AND THE GIVING OF NOTICE OF SAID ELECTION; CONTAINING PROVISIONS NECESSARY AND INCIDENTAL TO THE PURPOSES HEREOF; PROVIDING VOTING DATES, TIMES, AND LOCATIONS; PROVIDING FOR CANCELLATION OF THE ELECTION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR AN OPEN MEETING; PROVIDING FINDINGS OF FACT

WHEREAS, the Board of Directors (the "**Board**") finds and declares that the meeting at which this order (the "**Election Order**") is considered is open to the public, and that public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended, and Section 49.063, Texas Water Code, as amended; and

WHEREAS, this Board wishes to proceed with the ordering of an election;

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF FERN BLUFF MUNICIPAL UTILITY DISTRICT:

Section 1.   Findings of Fact.

The statements contained in the preamble of this Election Order are the true and correct legislative findings of the Board and are fully incorporated herein for all purposes.

Section 2.   Election Ordered.

An election (the "**Election**") shall be held for and within Fern Bluff Municipal Utility District (the "**District**") on Saturday, May 4, 2024 ("**Election Day**"), in accordance with the Texas Election Code (the "**Code**") for the purpose of electing three (3) Directors of said District.

Section 3.   Contract with Williamson County for Conduct of Election.

The Board of Directors of the District has agreed to contract with Williamson County for the conduct of the Election and hereby appoints the Williamson County Elections Administrator as Election Administrator (the "**Administrator**") for the Election. (Website: https://www.wilco.org/Departments/Elections). Pursuant to the applicable provisions of the Code, including but not limited to Chapter 31 of the Code, the Board hereby approves and authorizes the President, Vice-President, Secretary and/or Assistant Secretary of the District to sign the Contract for Election Services between Williamson County and the District (the "**Election Services Contract**"), substantially in the form presented at the meeting at which this Order was adopted, for any election services and equipment necessary or useful in holding the Election and carrying out the provisions of this Election Order. A copy of the Election Services Contract is attached hereto as **Exhibit A** and incorporated herein for all purposes.

Section 4.   Joint Election Agreement.

Pursuant to the applicable provisions of the Election Code, including but not limited to Chapter 271 of the Code, the Board hereby approves and authorizes the President, Vice-President, Secretary and/or Assistant Secretary of the District to sign the Joint Election

Agreement by and between the District and the Williamson County Elections Administrator (the "**Joint Election Agreement**"). A copy of the Joint Election Agreement is attached hereto as **Exhibit B** and incorporated herein for all purposes.

Section 5.   Election Precincts, Voting Locations, and Voting Hours on Election Day.

(a)   The present boundaries of the District are hereby established as and shall constitute one election precinct. The Administrator has determined that on Election Day, all voters are eligible to vote at any designated Election Day polling place within Williamson County. The Board hereby designates that the voting locations for voting on Election Day shall be as set forth in **Exhibit C**, attached hereto and incorporated herein for all purposes.

(b)   On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 6.   Early Voting Locations, Dates, and Times.

(a)   The Administrator has determined that during the early voting period, all voters are eligible to vote at any designated early voting polling place Williamson County. A list of all early voting polling places in Williamson County for the Election is attached hereto as **Exhibit D** and incorporated herein for all purposes. Early voting shall take place at least eight hours per day on all business days from April 22, 2024, to April 30, 2024.

(b)   The Administrator is hereby appointed as the Early Voting Clerk. Applications for ballot by mail shall be sent to:
Early Voting Clerk
Williamson County Early Voting Clerk - Christopher J. Davis
Williamson County Elections Office
Mailing Address: PO Box 209, Georgetown, Texas 78627
Street Address: Inter Loop Annex, 301 SE Inner Loop, Ste., 104, Georgetown, TX 78626
Email Address: _____@wilco.org
Office Hours: Monday through Friday 8:00 a.m. to 5:00 p.m.
Website: https://www.wilco.org/Departments/Elections

(c)   Applications for Ballots by Mail (ABBMs) must be received no later than the close of business on April 23, 2024.

(d)   Federal Post Card Applications (FPCAs) must be received no later than the close of business on April 23, 2024.

Section 7.   Election Judge and Clerks.

The election judges, alternate judges, clerks, and other personnel necessary for conducting the Election shall be appointed by the Administrator. Election judges and alternate judges may be changed in accordance with the Election Services Contract and the Code.

Section 8.   Custodian of Records and Agents.

To the extent not otherwise provided for in the Election Services Contract with Williamson County, the Board appoints the Law Office of Zachariah T. Evans, PLLC, general counsel to the District, as Custodian of Records ("**Custodian**") and agent to the Board Secretary to perform the duties related to the conduct and maintenance of records of the Election as required under the Code. The Custodian shall maintain an office open for election duties at least three (3) hours each day, during regular office hours, on regular business days during the period required by law. The Custodian shall post notice of the location and hours of the office as required by the Code. The Custodian shall maintain in their offices the documents, records and other items relating to the Election and shall be the persons designated to receive documents on behalf of the District.

Section 9.   Official Ballots.

(a)   The Administrator shall determine the type of voting system to be used which will meet all requirements of Section 122.001 of the Code.

(b)   The official ballots for said Election shall be prepared in accordance with the Code so as to permit the electors to vote for none, one, two, or three candidates for District Director.

Section 10.   Bilingual Election Materials.

The Election materials enumerated in Chapter 272 of the Code shall be printed and furnished in both English and Spanish for use at the polling place and for early voting.

Section 11.   Persons Qualified to Vote.

All resident qualified electors of the District shall be permitted to vote at the Election.

Section 12.   Drawing to Determine a Place on the Ballot.

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 District's Secretary or by the Custodian. The Secretary or Custodian shall post notice within the District or at the Custodian's office, at least seventy-two (72) hours prior to the date on which the drawing is to be held, evidencing the time and place of the drawing and shall also give personal notice to all candidates. Said notice is to be mailed not later than the fourth day before the day of the drawing. Each candidate involved in the drawing or a representative designated by him shall have a right to be present and observe the drawing.

Section 13.   Notice of Election.

(a)   Notice of the Election, stating in substance the contents of this Election Order (the "Notice"), shall be given by posting a substantial copy of this Election Order, in both English and Spanish not later than the twenty-first (21st) day before the

Election, (i) on the District's website, (ii) on the bulletin board used for posting notices of meetings of the Board.

(b)   Pursuant to Section 4.003(b) of the Code, a copy of the Notice shall be provided to Williamson County for posting on its website if Williamson County maintains a website. If Williamson County does maintain a website, a copy of the Notice will be posted on the bulletin board used for posting meetings of the District.

(c)   Copies of this Order, signed by the President and Secretary of the Board of Directors of the District, shall constitute Notice to the Presiding Judge and Alternate Presiding Judge, and the Notice of Appointment required by Sections 4.007 and 32.009 of the Code; and one such copy shall be delivered to the Presiding Judge and to the Alternate Presiding Judge no later than the 19th day from the date of this Order

Section 14.   Conduct of Election.

The Election shall be held in accordance with the Code, except as modified by the Texas Water Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 15.   Cancellation of Directors Election.

If the Custodian for the preparation of the ballot should certify in writing to the Board of Directors of the District that the candidates for election to the Board are unopposed for election, the Board shall declare each unopposed candidate elected to office. If this declaration is made, the Directors Election will not be held and this measure shall be removed from the ballot. A copy of the order declaring the candidates elected to office shall be posted on Election Day at the polling places that would have been used in the Election. A copy of the notice cancelling the Election shall be posted at each polling place that would have been used in the Election prior to the commencement of early voting.

PASSED and APPROVED this 23rd day of January 2024.

George Sabatino
President, Board of Directors
Fern Bluff Municipal Utility District

ATTEST:

Jessica Stempko
Secretary, Board of Directors
Fern Bluff Municipal Utility District

Exhibit A

Election Services Agreement

Exhibit B

Election Day Locations

Exhibit C

Early Voting Locations