

RESOLUTION AND ORDER NO. 07-16-848

OF THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY CALLING FOR THE ELECTION OF SEVEN VOTING MEMBERS TO THE BOARD OF DIRECTORS OF THE EAA FROM SEVEN SINGLE-MEMBER DISTRICTS WITHIN THE BOUNDARIES OF THE EAA TO BE HELD ON NOVEMBER 8, 2016, AND PROVIDING FOR MATTERS RELATED TO THE HOLDING OF SAID ELECTION IN ACCORDANCE WITH APPLICABLE LAW.

The Board of Directors (“Board”) of the Edwards Aquifer Authority (“EAA”), pursuant to the provisions of the Edwards Aquifer Authority Act (“Act”)<sup>1</sup> creating the EAA, the Constitution of the State of Texas, Chapter 3 of the Texas Election Code, other applicable law, and the provisions of the EAA’s Bylaws, **HEREBY RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. ELECTION CALL.

An election is hereby called to be held in seven single-member districts of the EAA on Tuesday, November 8, 2016 (the “Election”) for the purpose of electing seven directors to serve as voting members of the Board of the EAA. One director shall be elected from each of the seven single-member districts located in part of the EAA’s jurisdictional area and described in Exhibit A attached hereto and incorporated herein for all purposes, in the following counties, to wit:

- District 2 – Bexar
- District 4 – Bexar
- District 6 – Bexar
- District 8 – Comal
- District 10 – Hays
- District 12 – Medina
- District 14 – Uvalde

The terms of office for the current directors of the districts listed above shall expire December 1, 2016. The newly elected directors for all districts identified above shall assume office as soon as possible thereafter upon being duly qualified at the next available meeting of the Board of the EAA. The term of office for directors elected to Districts 2, 4, 6, 8, 10, 12 and 14 shall be four years.

Forms for candidate applications for a place on the ballot and petitions complying with the requirements of the Texas Election Code shall be prepared by the Secretary of the Board and made available to all applicants for candidacy. An application for a place on the ballot must be filed with the EAA no later than 5:00 p.m., Monday, August 22, 2016. Upon receipt by the Secretary of the Board, each application shall be accepted and filed.

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<sup>1</sup> Act of May 30, 1993, 73rd Leg., R.S., ch. 626, 1993 Tex. Gen. Laws 2350, as amended.

Each director shall be elected by a plurality vote of voters for candidates in his or her respective single-member district. Each director shall qualify for office as provided by the Act and other applicable laws.

## Section 2. ELECTION NOTICE.

Notice of the Election stating the nature of the Election, including the offices to be filled, the date of the Election, the location of polling places, hours during which the polling places will be open, the early voting clerk's official mailing address, the location of early voting polling places, the date that early voting will begin, and any other information required by law, shall be published, filed and posted, in English and Spanish, by the Chairman of the Board in accordance with the applicable provisions of the Texas Election Code.

The notice of election shall be given by publishing, posting, or mailing in accordance with Section 4.003(a) of the Texas Election Code. A copy of the notice of election shall also be posted on the bulletin board used for posting notice of the meetings of the Board of the EAA. Copies of all notices shall also be filed with the County Judge, County Clerk, and voter registrar and posted at the door of each of the county courthouses, or other location authorized by law, in Bexar, Comal, Hays, Medina and Uvalde counties; at the offices of the Election Administrators or County Clerks in the respective counties; and at the office of the Secretary of State. The notices published, filed and posted in any particular county of the EAA may exclude information that is relevant only to voters residing in other counties. For notices of election given by publication, a copy of the published notice shall be retained containing the name of the newspaper and the date of publication. For notices of election that are posted, appropriate records of posting shall be made and retained by the posting entity. Notice of the election shall be given to the election judges, county clerks, and voting registrars as required by law.

## Section 3. VOTING.

Voting shall be conducted pursuant to the provisions of the Texas Election Code and any other applicable law. Only those voters who reside within the boundaries of the EAA and within a respective single-member district will be permitted to vote for the candidates for that district.

The Election shall be held in the regular county election precincts for Bexar, Comal, Hays, Medina and Uvalde counties, to the extent the election precincts are within the jurisdictional boundaries of the EAA and the Director Districts as described in Exhibit A.

## Section 4. EARLY VOTING.

Ms. Jennifer Wong-Esparza, the Assistant to the Board Secretary and an employee of the EAA, is hereby appointed Early Voting Clerk. The Early Voting Clerk's official mailing address is 900 E. Quincy St., San Antonio, Texas 78215. The main early voting polling place shall be located at the EAA's offices located at 900 E. Quincy St., San Antonio, Texas 78215. Early voting shall be conducted Monday through Friday from 8:00 a.m. until 5:00 p.m., beginning on Monday, October 24, 2016, and ending on Friday, November 4, 2016. The above appointment and polling place information is subject to change in the event the EAA contracts to hold the

Election jointly with other political subdivisions under Subchapter D of Chapter 31, and Chapter 271 of the Texas Election Code.

Section 5. RETURNS.

The Election shall be conducted simultaneously in each single-member district. Unless otherwise provided by the Board, the ballots shall be counted and tabulated by the election officials appointed to conduct the Election in each single-member district. The returns shall be delivered and reported to the Board and the Board shall canvass the returns and declare by order the results of the Election.

Section 6. UNOPPOSED CANDIDATES.

Pursuant to the provisions in Subchapter C of Chapter 2 of the Texas Election Code, the Secretary of the Board may certify in writing that a candidate is unopposed for election in a single-member district of the EAA. In such an event, the Secretary shall deliver the certification to the Board of the EAA as soon as possible after the filing deadline for placement on the ballot which is 5:00 p.m. Monday, August 22, 2016. The Board may, by order, declare each unopposed candidate elected to office. If no election is to be held on the election day for a particular single-member district of the EAA, a copy of the order of election of unopposed candidates shall be posted on election day at each polling place used or that would have been used in the election.

Section 7. CONDUCT OF ELECTION.

The Election shall be conducted and the results determined in compliance with the Texas Election Code, and all other applicable state and federal law. Voting will be conducted in each of the counties within the EAA's jurisdiction using the voting systems in Exhibit B. The EAA will contract under Subchapter D of Chapter 31 and Chapter 271 of the Texas Election Code with each of the counties within its jurisdiction for the elections so that joint elections may be held in each county and the elections may be administered by the elections officials of each respective county.

Section 8. ELECTION ARRANGEMENTS.

The Secretary of the Board is hereby authorized and directed to provide for the assembly and preparation of the official ballot in accordance with the Texas Election Code for each single-member district from the names of candidates whose conforming applications have been duly and timely filed with the EAA. The order of placing candidate names on the official ballot for each single-member district shall be determined by lot. The drawing of lots shall be supervised by the Secretary of the Board at the offices of the EAA on Friday, August 26, 2016, at 5:30 p.m. Candidates or their designated representative may be present at the drawing.

Additionally, the Secretary of the Board is hereby authorized and directed to provide for the acquisition of all other election supplies. Moreover, on behalf of the Board, the Secretary is authorized to make arrangements and coordinate the conduct of the Election with the Commissioners' Courts, County Judges, County Clerks, County Election Administrators,

officials and representatives of other appropriate governmental bodies and agencies, and other election officials of each of the counties in which affected single-member districts of the EAA are located. In so doing, these officials may hold the Election concurrently with any election that may be called by other governmental bodies or agencies, including municipalities, to be held Tuesday, November 8, 2016. The Secretary of the Board is also authorized to expend from the general funds of the EAA such sums as are necessary to pay for the costs and expenses of conducting the Election.

#### Section 9. APPOINTMENT OF ELECTION OFFICER.

The Secretary of the Board hereby appoints, and the Board hereby approves, the appointment of Ms. Jennifer Wong-Esparza, Assistant to Board Secretary, as the Election Officer for the EAA to perform all duties authorized by the Texas Election Code with respect to the conduct of the Election. The Election Officer shall perform any and all ministerial duties in connection with the Election that may be lawfully performed by an employee of the EAA. This appointment shall expire Monday, December 19, 2016. Whenever in this Resolution and Order the Chairman or Secretary of the Board is authorized or directed to perform some activity, the Election Officer is authorized to perform the activity on behalf of, and in their stead. The General Manager of the EAA shall supervise the Election Officer in the performance of her duties as authorized by this Resolution and Order.

The EAA shall post a notice on the bulletin board used for posting notice of meetings of the Board of the EAA at the official offices of the EAA at 900 E. Quincy San Antonio, Texas, containing the Election Officer's name, location of her office, office hours, and duration of the appointment. The notice shall remain continuously posted during the minimum period for maintaining the Election Officer's office.

#### Section 10. ELECTION JUDGES.

In accordance with Sections 32.005(a) and 32.008(a) of the Texas Election Code, the Board shall appoint as presiding judges and alternate presiding judges for the election precincts those persons designated for such offices by the Commissioners' Courts of the respective counties identified above in Section 1. Two clerks shall serve in each polling place and shall be appointed by the presiding judge of each polling place. It is ordered that the election officers named shall take the oath prescribed by law in the State of Texas. The Board of the EAA hereby fixes the compensation of the election judges and clerks at the amounts and rates as set by the Commissioners' Courts of the respective counties identified above in Section 1.

The Secretary of the Board is authorized to issue Writs of Election to, or direct that notice be given to, the presiding judge of each polling place that shall constitute notice to such judge of his or her duty to hold the Election.

#### Section 11. FURTHER ORDERS.

As may be necessary to hold the Election in a fair manner, the Board will meet and issue such additional orders and make corrections to the election procedures and take any such other

action as may be required not inconsistent with this Resolution and Order and other applicable law. This Resolution and Order shall be preserved for the period for preserving the precinct election records for the Election, and the date and nature of the Election shall be entered in the official records of the Board of the EAA. The Secretary of the Board shall act as the general custodian of the EAA's records for the Election.

Section 12. SEVERABILITY.

The terms and provision of this Resolution and Order shall be deemed to be severable and if the validity of any section, subsection, sentence, clause, or phrase of this Resolution and Order should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this Resolution and Order.

**PASSED AND APPROVED** BY THE BOARD OF DIRECTORS OF THE EDWARDS  
AQUIFER AUTHORITY, AND EFFECTIVE THIS 12<sup>TH</sup> DAY OF JULY, 2016.

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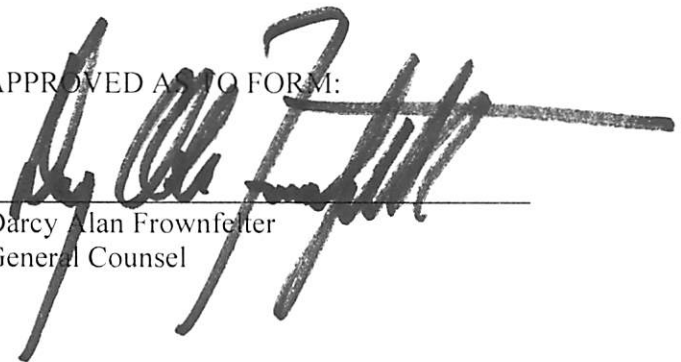
Luana Buckner  
Chairman, Board of Directors

ATTEST:

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Enrique P. Valdivia  
Secretary, Board of Directors

APPROVED AND FOR:



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Darcy Alan Frownfelter  
General Counsel

**EXHIBIT A**

**List of County Election Precincts Comprising the Edwards Aquifer Authority  
Single-Member Director Districts 2, 4, 6, 8, 10, 12, 14**

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	4003	2	No
Bexar	4004	2	No
Bexar	4005	2	No
Bexar	4007	2	No
Bexar	4009	2	No
Bexar	4010	2	No
Bexar	4011	2	No
Bexar	4012	2	No
Bexar	4030	2	No
Bexar	4036	2	No
Bexar	4037	2	No
Bexar	4039	2	No
Bexar	4040	2	No
Bexar	4041	2	No
Bexar	4042	2	No
Bexar	4043	2	No
Bexar	4045	2	No
Bexar	4049	2	No
Bexar	4061	2	No
Bexar	4063	2	No
Bexar	4064	2	No
Bexar	4065	2	No
Bexar	4066	2	No
Bexar	4067	2	No
Bexar	4070	2	No
Bexar	4076	2	No
Bexar	4080	2	No
Bexar	4082	2	No
Bexar	4084	2	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	4088	2	No
Bexar	4106	2	No
Bexar	4111	2	No
Bexar	4113	2	No
Bexar	4114	2	No
Bexar	4119	2	No
Bexar	4122	2	No
Bexar	4123	2	No
Bexar	4128	2	No
Bexar	4132	2	No
Bexar	4135	2	No
Bexar	4141	2	No
Bexar	4142	2	No
Bexar	4143	2	No
Bexar	4145	2	No
Bexar	4146	2	No
Bexar	4150	2	No
Bexar	4154	2	No
Bexar	4156	2	No
Bexar	4160	2	No
Bexar	4161	2	No
Bexar	4163	2	No
Bexar	4166	2	No
Bexar	4167	2	No
Bexar	4168	2	No
Bexar	4182	2	No
Bexar	4184	2	No
Bexar	4186	2	No
Bexar	4189	2	No
Bexar	4190	2	No
Bexar	4191	2	No
Bexar	4192	2	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	4193	2	No
Bexar	4195	2	No
Bexar	4196	2	No
Bexar	4197	2	No
Bexar	4198	2	No
Bexar	4203	2	No
Bexar	4211	2	No
Bexar	4220	2	No
Bexar	2009	4	No
Bexar	2037	4	No
Bexar	2063	4	No
Bexar	2065	4	No
Bexar	2066	4	No
Bexar	2072	4	No
Bexar	2076	4	No
Bexar	2084	4	No
Bexar	2086	4	No
Bexar	2093	4	No
Bexar	2095	4	No
Bexar	2096	4	No
Bexar	2099	4	No
Bexar	2101	4	No
Bexar	2108	4	No
Bexar	2113	4	No
Bexar	2115	4	No
Bexar	2122	4	No
Bexar	2123	4	No
Bexar	2125	4	No
Bexar	2127	4	No
Bexar	2133	4	No
Bexar	2139	4	No
Bexar	2141	4	No



<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	2147	4	No
Bexar	2154	4	No
Bexar	2158	4	No
Bexar	2159	4	No
Bexar	2161	4	No
Bexar	2162	4	No
Bexar	3003	4	No
Bexar	3006	4	No
Bexar	3008	4	No
Bexar	3009	4	No
Bexar	3010	4	No
Bexar	3011	4	No
Bexar	3012	4	No
Bexar	3013	4	No
Bexar	3016	4	No
Bexar	3017	4	No
Bexar	3019	4	No
Bexar	3023	4	No
Bexar	3024	4	No
Bexar	3029	4	No
Bexar	3030	4	No
Bexar	3032	4	No
Bexar	3033	4	No
Bexar	3034	4	No
Bexar	3035	4	No
Bexar	3036	4	No
Bexar	3037	4	No
Bexar	3044	4	No
Bexar	3045	4	No
Bexar	3051	4	No
Bexar	3054	4	No
Bexar	3055	4	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	3056	4	No
Bexar	3057	4	No
Bexar	3058	4	No
Bexar	3065	4	No
Bexar	3069	4	No
Bexar	3070	4	No
Bexar	3071	4	No
Bexar	3073	4	No
Bexar	3074	4	No
Bexar	3075	4	No
Bexar	3076	4	No
Bexar	3077	4	No
Bexar	3078	4	No
Bexar	3086	4	No
Bexar	3093	4	No
Bexar	3094	4	No
Bexar	3095	4	No
Bexar	3096	4	No
Bexar	3097	4	No
Bexar	3098	4	No
Bexar	3099	4	No
Bexar	3101	4	No
Bexar	3102	4	No
Bexar	3106	4	No
Bexar	3107	4	No
Bexar	3109	4	No
Bexar	3111	4	No
Bexar	3112	4	No
Bexar	3113	4	No
Bexar	3115	4	No
Bexar	3119	4	No
Bexar	3126	4	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	3127	4	No
Bexar	3128	4	No
Bexar	3129	4	No
Bexar	3130	4	No
Bexar	3132	4	No
Bexar	3134	4	No
Bexar	3135	4	No
Bexar	3142	4	No
Bexar	3143	4	No
Bexar	3145	4	No
Bexar	3146	4	No
Bexar	3147	4	No
Bexar	3149	4	No
Bexar	3151	4	No
Bexar	3152	4	No
Bexar	3155	4	No
Bexar	3158	4	No
Bexar	3160	4	No
Bexar	3161	4	No
Bexar	3162	4	No
Bexar	3168	4	No
Bexar	3169	4	No
Bexar	3172	4	No
Bexar	3173	4	No
Bexar	3174	4	No
Bexar	3175	4	No
Bexar	3176	4	No
Bexar	3179	4	No
Bexar	3182	4	No
Bexar	3184	4	No
Bexar	3185	4	No
Bexar	3186	4	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	3187	4	No
Bexar	3188	4	No
Bexar	3189	4	No
Bexar	3190	4	No
Bexar	3191	4	No
Bexar	1003	6	No
Bexar	1004	6	No
Bexar	1005	6	No
Bexar	1006	6	No
Bexar	1007	6	No
Bexar	1008	6	No
Bexar	1010	6	No
Bexar	1011	6	No
Bexar	1012	6	No
Bexar	1013	6	No
Bexar	1014	6	No
Bexar	1015	6	No
Bexar	1017	6	No
Bexar	1023	6	No
Bexar	1026	6	No
Bexar	1027	6	No
Bexar	1028	6	No
Bexar	1029	6	No
Bexar	1030	6	No
Bexar	1031	6	No
Bexar	1033	6	No
Bexar	1034	6	No
Bexar	1035	6	No
Bexar	1036	6	No
Bexar	1043	6	No
Bexar	1069	6	No
Bexar	1070	6	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	1071	6	No
Bexar	1073	6	No
Bexar	1074	6	No
Bexar	1077	6	No
Bexar	1081	6	No
Bexar	1082	6	No
Bexar	1084	6	No
Bexar	1085	6	No
Bexar	1086	6	No
Bexar	1087	6	No
Bexar	1090	6	No
Bexar	1096	6	No
Bexar	1097	6	No
Bexar	1101	6	No
Bexar	1103	6	No
Bexar	1106	6	No
Bexar	1108	6	No
Bexar	1110	6	No
Bexar	1112	6	No
Bexar	1118	6	No
Bexar	1119	6	No
Bexar	1120	6	No
Bexar	1121	6	No
Bexar	1122	6	No
Bexar	1126	6	No
Bexar	1130	6	No
Bexar	1131	6	No
Bexar	1132	6	No
Bexar	1136	6	No
Bexar	1137	6	No
Bexar	2035	6	No
Bexar	2044	6	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	2055	6	No
Bexar	2118	6	No
Bexar	2130	6	No
Bexar	4001	6	No
Bexar	4002	6	No
Bexar	4006	6	No
Bexar	4008	6	No
Bexar	4013	6	No
Bexar	4014	6	No
Bexar	4016	6	No
Bexar	4018	6	No
Bexar	4019	6	No
Bexar	4023	6	No
Bexar	4024	6	No
Bexar	4025	6	No
Bexar	4026	6	No
Bexar	4027	6	No
Bexar	4028	6	No
Bexar	4029	6	No
Bexar	4031	6	No
Bexar	4032	6	No
Bexar	4033	6	No
Bexar	4034	6	No
Bexar	4048	6	No
Bexar	4062	6	No
Bexar	4068	6	No
Bexar	4069	6	No
Bexar	4073	6	No
Bexar	4075	6	No
Bexar	4077	6	No
Bexar	4085	6	No
Bexar	4087	6	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Bexar	4101	6	No
Bexar	4103	6	No
Bexar	4109	6	No
Bexar	4110	6	No
Bexar	4118	6	No
Bexar	4121	6	No
Bexar	4127	6	No
Bexar	4129	6	No
Bexar	4133	6	No
Bexar	4136	6	No
Bexar	4137	6	No
Bexar	4153	6	No
Bexar	4159	6	No
Bexar	4177	6	No
Bexar	4178	6	No
Bexar	4180	6	No
Bexar	4183	6	No
Bexar	4200	6	No
Bexar	4202	6	No
Bexar	4204	6	No
Bexar	4207	6	No
Bexar	4208	6	No
Bexar	4209	6	No
Bexar	4213	6	No
Bexar	4214	6	No
Bexar	4215	6	No
Comal	301	8	No
Comal	302	8	No
Comal	303	8	No
Hays	110	10	No
Hays	112	10	No
Hays	113	10	No

<b>COUNTY</b>	<b>2016 COUNTY ELECTION PRECINCTS</b>	<b>2016 EAA DIRECTOR DISTRICT</b>	<b>SPLIT PRECINCT</b>
Medina	3A	12	No
Medina	3B	12	No
Medina	3C	12	No
Medina	3D	12	No
Medina	4A	12	No
Medina	4B	12	No
Medina	4C	12	No
Uvalde	1	14	No
Uvalde	6	14	No
Uvalde	7	14	No
Uvalde	8	14	No
Uvalde	9	14	No
Uvalde	10	14	No
Uvalde	13	14	No
Uvalde	14	14	No



## **EXHIBIT B**

### **Voting Systems by County**

Bexar County – the ES&S iVotronic Voting System and ES&S 650 Scanner

Comal County – the HART InterCivic E-Slate Voting System

Hays County – the HART InterCivic E-Slate Voting System

Medina County – the HART InterCivic E-Slate Voting System or the Hart InterCivic Verity System (if approved by the State and programming completed in time)

Uvalde County – the HART InterCivic e-Scan and e-Slate Electronic Voting System