

RESOLUTION AND ORDER NO. 09-22-038

OF THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY DECLARING THE UNOPPOSED CANDIDATES ELECTED TO OFFICE FROM SINGLE-MEMBER DISTRICTS 1, 3, 5, 7, 9, 10, 11, 13, AND 15 WITHIN THE BOUNDARIES OF THE EAA AND CANCELLING THOSE ELECTIONS.

Pursuant to Section 2.053 of the Texas Election Code, the Board of Directors (“Board”) of the Edwards Aquifer Authority (“EAA”) HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. FINDINGS

1. On July 12, 2022, the Board passed Resolution and Order No. 07-22-030 calling for the election of nine voting members to the Board from nine single-member districts within the boundaries of the EAA. The nine positions to stand for election were Director Districts 1, 3, 5, 7, 9, 10, 11, 13, and 15. The general directors’ election would be held on Tuesday, November 8, 2022 (“Election”).
2. The deadline for filing for a place on the ballot was August 22, 2022.
3. The deadline for filing a declaration for a place on the ballot as a write-in candidate was August 26, 2022.
4. In September, the Board received the certification by the Secretary of the Board of the EAA of those candidates who are unopposed for the Election. *See* Exhibit A, attached hereto and incorporated herein for all purposes. The Board Secretary certified that Districts 1, 3, 5, 7, 9, 10, 11, 13, and 15 are unopposed candidates. The Secretary’s certification was delivered to the Board of the EAA after the filing deadlines for placement on the ballot and list of write-in candidates.
5. The Election is one in which the candidates for office for Districts 1, 3, 5, 7, 9, 10, 11, 13, and 15 would have appeared on the ballot as unopposed.
6. The EAA is a political subdivision other than a county. Therefore, the Election is for an officer to a political subdivision other than a county.
7. The Election is one in which write-in votes may be counted only for names appearing on a list of write-in candidates.
8. The Election is one in which the Directors of the Board of the EAA are elected from territorial units which are single-member districts.
9. No at-large propositions or opposed at-large races are to appear on the EAA’s ballot for the Election.

10. The candidates listed below are candidates whose names would have appeared on the ballot for the position of Director in the Election.

Section 2. ORDER DECLARING ELECTION OF UNOPPOSED CANDIDATES

Pursuant to Section 2.053(a) of the Texas Election Code, now, therefore, be it **RESOLVED AND ORDERED** by the Board of Directors of the EAA that the unopposed candidates listed below are hereby declared to be elected to the position of Director on the Board of the EAA for the following listed director districts:

<u>DISTRICT</u>	<u>DIRECTOR</u>	<u>COUNTY</u>
1	Carol Patterson	Bexar
3	Abe Salinas	Bexar
5	Randall Perkins	Bexar
7	Enrique Valdivia	Bexar
9	Matthew Hoyt	Comal & Guadalupe
10	Austin Bodin	Hays
11	Rachel Sanborn	Hays & Caldwell
13	Russell Persyn	Medina & Atascosa
15	Rader Gilleland	Uvalde

Section 3. ORDER CANCELLING ELECTION

Pursuant to Section 2.053(b) of the Texas Election Code, now, therefore, be it additionally **RESOLVED AND ORDERED** by the Board of Directors of the EAA that the Election for EAA Director in Districts 1, 3, 5, 7, 9, 10, 11, 13, and 15 as shown above is **CANCELLED** and will not be held.

Section 4. NOTICE OF ORDER DECLARING ELECTION OF UNOPPOSED CANDIDATES AND CANCELLING ELECTION; PROVIDING RESOLUTION AND ORDER TO COUNTY ELECTION OFFICIALS

Consistent with the intent of Section 2.053(a) of the Texas Election Code, on or about September 14, 2022, the EAA will provide to the election officials of the Counties of Atascosa, Bexar, Caldwell, Comal, Guadalupe, Hays, Medina, and Uvalde a copy of this Resolution and Order to be posted on Election Day at each polling place within Director Districts 1, 3, 5, 7, 9, 10, 11, 13, and 15 that would have otherwise been used in the Election, indicating that the election for these districts was cancelled.

Section 6. CERTIFICATE OF ELECTION AND QUALIFICATION FOR OFFICE

Pursuant to Section 2.053(e) of the Texas Election Code, certificates of election shall be issued to the above-listed directors in accordance with the Texas Election Code in the same manner and at the same time as provided for a candidate elected at the Election. Moreover,

the above-listed directors are to be qualified for the office in the same manner as provided for a candidate elected at the Election. The above-listed directors shall assume the duties of director in accordance with the Edwards Aquifer Authority Act, Act of May 30, 1993, 73rd Leg., R.S., ch. 626, 1993 Tex. Gen. Laws 2350, as amended, and any other applicable laws.

Section 7. GENERAL PROVISIONS

7.1 The Findings set out above in Section 1 are found to be true and correct, and they are hereby adopted by the Board of Directors and are made a part of this Resolution and Order for all purposes.

7.2 The General Manager and General Counsel are hereby directed to take all actions necessary to provide a copy of this Resolution and Order to the election officials for Atascosa, Bexar, Caldwell, Comal, Guadalupe, Hays, Medina, and Uvalde Counties, and take all appropriate actions in furtherance hereof as may be required by law.

7.3 This Resolution and Order shall become effective from and after its adoption.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE EDWARDS
AQUIFER AUTHORITY THIS 13th DAY OF SEPTEMBER, 2022.

LUANA BUCKNER
Chairman, Board of Directors

BENJAMIN YOUNGBLOOD, III
Secretary, Board of Directors

APPROVED AS TO FORM:

Darcy Alan Frownfelter
General Counsel