

**AN ORDER OF BASTROP COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. 2 CALLING AN ELECTION FOR DIRECTORS**

WHEREAS, Bastrop County Water Control and Improvement District No. 2 (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 Bastrop County Commissioners Court, and the District operates under Chapters 49 and 51 of the Texas Water Code, as amended;

WHEREAS, Section 49.103 of the Texas Water Code provides that an election for directors of a water district shall be held on the uniform election date established by the Election Code in May of each even-numbered year to elect the appropriate number of directors;

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 7, 2022.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF BASTROP COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 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 7<sup>th</sup> day of May 2022 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 Bastrop County to serve the County’s regular election precincts 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 Bastrop 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 Bastrop County election officials as officers of the election in the event the election is not cancelled as permitted by law.

Section 5: The Bastrop County Administrator is conducting the election pursuant to an election agreement (the "Election Agreement") between the District and Bastrop 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 Bastrop County that are holding an election on May 7, 2022. Bastrop 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. The President of the Board of Directors, the General Manager of the District (the "General Manager"), and their respective designees, are authorized to enter into, execute and deliver one or more Election Agreements and joint election agreements, in accordance with applicable provisions of the Election Code. The terms and provisions of each Election Agreement and joint election agreement are hereby incorporated into this Order. To the extent of any conflict between this Order and such agreements, the terms and provisions of the agreements shall prevail, and the President of the Board of Directors, the General Manager, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Order, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement and joint election agreement, to comply with applicable state and federal law and to carry out the intent of the Board, as evidenced by this Order.

Section 6: Early voting in the election by personal appearance shall occur on each day from April 25, 2022 through May 3, 2022, 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 said exhibit and at the places shown on said exhibit. The Early Voting Clerk in Bastrop County shall be the Bastrop County Election Administrator. The polling locations and times set forth on the exhibit may be changed from time to time to reflect any changes to the polling locations established by Bastrop County. The Early Voting Clerk's mailing addresses to which ballot applications and ballots to be voted by mail may be sent are as follows: Bastrop County Early Voting Clerk, Elections Division, 804 Pecan Street, Bastrop, Texas 78602, elections@co.bastrop.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 18, 2022. 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.

Declarations of write-in candidacy must be received by 5:00 p.m. on February 22, 2022.

Section 8: Alma Rodriguez is hereby appointed as the District's agent to perform various election duties for the election, including maintaining in such agent's office at 106 Conference Drive, Bastrop, Texas 78602, 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 Bastrop 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 51, Texas Water Code.

Section 13: 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 14: In accordance with Section 4.003(a) of the Texas Election Code, notice of the election shall be given by any one or more of the following methods: (i) by publication one time,

not earlier than the 30th day or later than the 10th day prior to the date set for the election, in a newspaper published in the District or, if none is published in the District, in a newspaper of general circulation in the District; (ii) by posting in accordance with the Texas Election Code not later than the 21st day before the election in each election precinct that is in the jurisdiction of the District; or (iii) 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 District.

In accordance with Section 4.003(b) of the Election Code, not later than the 21st day before the election, notice of the election shall be posted on the bulletin board used for posting notices of the meetings of the Board of Directors of the District.

In accordance with Section 4.008(a) of the Election Code, notice of the election shall be given to Bastrop County prior to the 60th day before Election Day.

Notice of the election shall also be furnished by any other manner of notice required by law.

Section 15: 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 the commencement of early voting.

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 Bastrop County.

Section 17: The President, Secretary and General Manager 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 \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
President, Board of Directors

ATTEST:

\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)

**EXHIBIT "A"**

**ELECTION DAY POLLING LOCATION(S)  
Voting hours 7:00 am to 7:00 pm**

Wyldwood Baptist Church, 398 Union Chapel Road, Cedar Creek

River Valley Christian Fellowship, 1224 W. State Highway 71, Bastrop

Ascension Catholic Church, 804 Pine Street, Bastrop

Paige Community Center, 107 S. Main Street, Paige

Bastrop Co. ESD No. 2 Fire Station 3, 926 FM 1441, Bastrop

Calvary Baptist Church, 3001 Loop 150 East, Bastrop

Smithville Recreation Center, 106 Royston Street, Smithville

Rosanky Community Center, 135 Main Street, Rosanky

Bastrop County Substation, 5785 FM 535, Cedar Creek

Bastrop Church of Christ, 287 FM 20, Bastrop

Hills Prairie Baptist Church, 1338 State Highway 304, Bastrop

Red Rock Community Center, 114 Red Rock Road, Red Rock

Elgin Recreation Center, 361 N. Highway 95, Elgin

New Life Baptist Fellowship, 175 S. State Highway 95, Elgin

Faith Lutheran Church, 230 Waco Street, McDade

Family Worship Center, 2425 FM 1704, Elgin

Bastrop Co. ESD No. 2 Fire Station 4, 1432 N. State Highway 95, Bastrop

**\*\*\*Locations Subject to Change Depending on Entities Participating in the Joint Election\*\*\***

**EXHIBIT “B”**

**EARLY VOTING DATES, TIME PERIODS AND LOCATIONS**

**Time Period:**

Monday, April 25, 2022 through Tuesday, May 3, 2022.

**Main Location:**

Bastrop County Courthouse Annex, Lower Level Conference Room, 804 Pecan St., Bastrop, Texas 78602.

<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>
<b>25</b> 8:00 am – 5:00 pm	<b>26</b> 8:00 am – 5:00 pm	<b>27</b> 8:00 am – 5:00 pm	<b>28</b> 8:00 am – 5:00 pm	<b>29</b> 8:00 am – 5:00 pm
<b>2</b> 7:00 am – 7:00 pm	<b>3</b> 7:00 am – 7:00 pm			

**Branch Locations:**

Smithville Rec Center, 106 Royston St., Smithville  
Cedar Creek Tax Office Annex, 5785 FM 535, Cedar Creek  
Elgin Rec Center, 361 N. Hwy 95, Elgin

<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>
<b>25</b> 8:00 am – 5:00 pm	<b>26</b> 8:00 am – 5:00 pm	<b>27</b> 8:00 am – 5:00 pm	<b>28</b> 8:00 am – 5:00 pm	<b>29</b> 8:00 am – 5:00 pm
<b>2</b> 7:00 am – 7:00 pm	<b>3</b> 7:00 am – 7:00 pm			

**Voting by Mail:**

Kristin Miles, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, TX 78602