

## ORDER CALLING SUPERVISORS ELECTION

WHEREAS, Bayview Municipal Utility District of Galveston County, Texas (the "*District*") is required to hold a Supervisors Election on the first Tuesday in November of even-numbered years unless each candidate in the election is unopposed;

WHEREAS, the Board of Supervisors (the "*Board*") of the District, pursuant to Chapter 31, Texas Election Code, is entering into an agreement for election services with the Elections Administrator (the "*Administrator*") for Galveston County, Texas (the "Election Services Agreement") for purposes of providing election administration services on behalf of the District;

WHEREAS, the Board, pursuant to Chapter 271, Texas Election Code, has entered into an agreement to conduct a joint election with Galveston County and other political subdivisions within Galveston County (the "Election Services Agreement"); and

WHEREAS, the Board deems it necessary and appropriate to establish the procedures whereby such election may be held;

### IT IS, THEREFORE, ORDERED BY THE BOARD THAT:

1. Pursuant to Section 49.103 of the Texas Water Code and Section 41.001 of the Election Code, an election shall be held for and within the District on November 8, 2022, for the election of three Supervisors for the District, each of whom shall serve a four-year term.

2. In the event the Secretary of the Board certifies that each candidate is unopposed for election, the Board hereby determines that, pursuant to Sections 2.051 through 2.054 of the Election Code, it will declare such unopposed candidates elected to the office of supervisor without an election. The Board adopts the practice of canceling elections when permitted pursuant to Sections 2.052 through 2.053 of the Election Code as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board.

3. Except as otherwise provided herein, the presently existing boundaries and territory of the Galveston County Election Precincts that are wholly or partially within the boundaries of the District are hereby designated and established as the voting precincts for the District for the Election. The District is contracting with Galveston County for administration of its election, and resident voters of the District may vote at any polling place designated by Galveston County for the election. The polls shall be open for voting on Election Day from 7:00 a.m. to 7:00 p.m. The officers of the Election shall be those qualified individuals recommended and appointed by the Administrator as provided in the Election Services Agreement.

4. Early voting in such election by personal appearance shall be conducted at any locations designated for early voting by Galveston County, being the designated early voting polling places as provided in the Election Services Agreement. The polls shall be open at each early voting location on **October 24, 2022, through October 28, 2022**, from 8 a.m. to 5 p.m.; **October 29, 2022**, from 7 a.m. to 7 p.m.; **October 30, 2022**, from 1 p.m. to 7 p.m. and **October 31, 2022, through November 4, 2022**, from 7 a.m. to 7 p.m. as designated by Galveston County for each location, or as otherwise established for early voting by Galveston County.

The Board hereby appoints the regular early voting clerk and the Administrator as the joint clerk for early voting, as provided in the Election Services Agreement. Early voting ballots in the election by mail may be obtained from and mailed to the Early Voting Clerk at Dwight Sullivan, Galveston County Clerk, Elections Department, P.O. Box 17253, Galveston, Texas 77552-7253, which is the Early Voting Clerk's official mailing address.

5. In accordance with Section 61.012(b), voting shall be conducted by an electronic voting system adopted by resolution of the Commissioners Court of Galveston County, Texas, which has been certified by the Texas Secretary of State as complying with the requirement for an accessible voting system. Such voting system is described in the Election Services Agreement and by this reference made a part hereof. The Board hereby adopts the use of the accessible voting system described above as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board.

6. The ballots for such election shall be prepared in sufficient number and in conformity with the Texas Election Code, as it may be amended from time to time, and shall be substantially as follows:

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BAYVIEW MUNICIPAL UTILITY DISTRICT OF GALVESTON COUNTY, TEXAS

SUPERVISORS ELECTION

November 8, 2022

OFFICIAL BALLOT

Vote for no more than three candidates of your choice by placing an "X" in the squares beside the candidates' names.

Supervisor

Vote for none, one, two, or three

[ ] \_\_\_\_\_  
[ ] \_\_\_\_\_  
[ ] \_\_\_\_\_

7. The personnel for the central counting station shall be those qualified individuals recommended and appointed by the Administrator as provided in the Joint Election Agreement. Notice of the election will be given by posting notice of the election on the bulletin board within the District used for posting notices of the meetings of the Board and in a public place in each election precinct in the District at least 21 days before the election.

8. All qualified resident voters of the District shall be allowed to vote at such election. The election shall be held and conducted in all respects as provided by applicable law. The election shall also be conducted pursuant to the terms and conditions of the Election Services Agreement.

9. The Board's President and Secretary and the attorney for the District are further authorized and directed to take any action necessary to comply with the provisions of the Texas Elections Code, the Texas Water Code, and the Federal Voting Rights Act and the terms

and provisions of the Election Services Agreement in carrying out the provisions of this Order, whether or not expressly authorized herein.

10. The Secretary of the Governing Body hereby appoints and the Governing Body approves the appointment of Miranda Sandstrum as the Secretary's agent to perform the duties provided by section 31.123, Texas Election Code.

11. The officers of the Board are each authorized to evidence adoption of this Order and directed to do any and all things legal and necessary to hold such election and otherwise to carry out the intent hereof.

12. If any provision in this Order is invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions is in any way be affected or impaired thereby.

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EXHIBIT A

Description of voting system:

Hart Intercivic Verity Duo System

SECRETARY'S CERTIFICATE

THE STATE OF TEXAS §  
COUNTY OF GALVESTON  
BAYVIEW MUNICIPAL UTILITY DISTRICT §

The undersigned Secretary of the Board of Supervisors (the "Board") of Bayview Municipal Utility District (the "District"), hereby certifies as follows:

1. The Board convened in regular session, open to the public, on July 21, 2022, at the District Office at 309 Miles Road, Bacliff, Texas 77518, Texas, and the roll was called of the members of the Board, to-wit:

Ronnie G. Williams, President  
Troy Bradfield, Vice President  
Toni Randall, Secretary  
Ed Koch, Assistant Secretary  
Brian Weisinger, Director

All members of the Board were present, thus constituting a quorum. Whereupon among other business, the following was transacted at such Meeting: A written

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was duly introduced for the consideration of the Board and read in full. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of such Order, prevailed and carried by the following votes:

AYES:  5  NOES:  0

2. A true, full, and correct copy of the aforesaid Order adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such Meeting and each of such officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public, and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, both as amended.

SIGNED this 21<sup>st</sup> Day of July, 2022



Toni Randall  
Secretary, Board of Supervisors