

**ELECTION ORDER AND NOTICE
FOR ELECTION TO BE HELD
SATURDAY, MAY 6, 2023
Per December 8, 2022, Agenda Item I (1) (j)**

STATE OF TEXAS §
§
COUNTIES OF BEXAR §
§
WILSON AND GUADALUPE §

On this 8th day of December, 2022, the Board of Directors of the East Central Special Utility District (hereinafter "East Central SUD" or "District") convened with the following members present:

Melvin Strey, President
Paul Bricker, Vice-President
Milton Lowak, Secretary/Treasurer
Mark Davis, Director
James Pederson, Director
Randy Schwenn, Director
David Padalecki, Director
Tom Dupnick, Director
Shirley Owen, Director

A quorum was present. Among other proceedings had by said Board of Directors were the following:

WHEREAS, from year-to-year the Directors are charged with calling a Directors' Election, in this immediate instance, for three Directors for 2023.

WHEREAS, it is necessary for this Board to pass an Election Order establishing the procedure for filing and conducting said Directors' Election; and

WHEREAS, the Board has taken notice of the requirements for said election contained in sections 41.001(a) of the Election Code, as amended (H.B. 2354 (2015)), and 65.103(d) of the Water Code, which state as follows;

Section 41.001(a), Election Code, as amended:

Except as otherwise provided by this subchapter, each general or special election in this state shall be held on one of the following dates:

(1) the first Saturday in May in an odd-numbered year;

(2) the first Saturday in May in an even-numbered year, for an election held by a political subdivision other than a county; or

(3) the first Tuesday after the first Monday in November.

Section 65.103(d), Water Code:

Notwithstanding Sections 41.001 and 41.003, Election Code, the board may hold an election to elect directors on any date determined by the board. The terms of directors must be stated on the ballot.

WHEREAS, pursuant to Senate Bill 910, the first day for filing as a candidate is established as Wednesday, January 18, 2023, and notice thereof will be posted in the administrative office of the East Central Special Utility District on Monday, December 19, 2022.

WHEREAS, at the December 8, 2022 meeting of the Board of Directors the date of such election has hereby been established as the First Saturday in May 2023 (May 6, 2023);

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE EAST CENTRAL SPECIAL UTILITY DISTRICT:

1. **Election May 6, 2023.** That an election be held in such District on Saturday, May 6, 2023 for the purpose of electing three (3) Board of Directors.
2. **Filing for Director.** That all candidates have their names placed upon the ballot for the above-mentioned Director's Election for three (3) Board of Directors, which shall be made in accordance with the law and, shall be made in accordance with the law and, shall be in writing, shall state the title of Director as the position for which such person is filing as a candidate, shall be signed by the candidate and filed with the Secretary of the Board of Directors, East Central Special Utility District, Post Office Box 570, Adkins, Texas 78101, not earlier than 8:30 a.m. Wednesday, January 18, 2023 and not later than 5:00 p.m. Friday, February 17, 2023 (78th day before election). In accordance with Texas Water Code §65.103, the three (3) candidates for Director receiving the most votes at the Directors' Election shall be deemed elected to the position of Director for the District.
3. **Notice of Candidate Filing Period.** The Secretary of the Board of Directors must post a Notice of Deadline to File Applications for Place on the Ballot, listing the filing period dates in the building where the Board of Directors meet *not later than Monday, December 19, 2022.*
4. **Filing Deadline.** The office will be open each business day at 8:30 a.m. until 5:00 p.m. during the filing period, which begins 8:30 a.m. Wednesday, January 18, 2023, and continues through the date of the filing deadline, which is 5:00 p.m., Friday, February 17, 2023. All candidates shall file with said application the loyalty affidavit require by Section 141.03(a)(4)(K) of the Election Code. The Secretary

of the Board of Directors shall post on the bulletin board in the building where the Board of Directors meet, the names of all candidates who have filed their application in accordance with the terms and provisions of the Order.

5. **Notice of Ballot Position Drawing:** 5:00 p.m. Thursday, February 23, 2023. Notice shall be posted in accordance with the Texas Election Code and Texas Open Meetings Act 72 hours in advance of the Ballot Position Drawing. Notice must also be mailed directly to candidates on this date informing them of the date, time, and location of the ballot position drawing.
6. **Ballot Position drawing.** 1:00 p.m. Monday, February 27, 2023, shall be the ballot position drawing for candidates.
7. **Deadline for Write-In-Candidates:** 5:00 p.m., Friday, February 17, 2023, is the deadline for write-in candidates to file Declarations of Write-in Candidacy pursuant to S.B. 1703 (2015).
8. **Polling Place.** That said election shall be held at the following place and the qualified voters within the District shall vote at the polling place specified below:

City of St. Hedwig
City Hall
13065 FM 1346
St. Hedwig, Texas 78152

The Election Judges will be appointed by the Board of Directors and the Election Judges may be changed, as necessary and authorized by law.

9. **Hours on Election Day.** The Polling Place shall be open on the day of the election, Saturday, May 6, 2023 from 7:00 a.m. until 7:00 p.m.
10. **Election Judge/Alternate.** Gregory Ramzinski is hereby appointed Election Judge. Jill brown is hereby appointed Chief Deputy Voting Clerk, and such deputies as may be appointed by any public entity that has duly appointed Election Judges to conduct an election or referendum at such location on such date.
11. **Election Code Provisions.** The manner of holding said election shall be governed, as nearly as possible, by the Election Code of this State, and East Central SUD shall furnish all necessary ballots and other election supplies requisite to said election.
12. **Delivery by Election Judge.** Immediately after said election has been held, the Election Judge shall deliver the voted ballots in the locked ballot box and all election forms and supply to East Central SUD's Headquarters located at 5520 FM 1628, Adkins, TX 78101.

13. **Canvass Votes.** The Board of Directors shall canvass and declare the votes of the May 6, 2023 election for three (3) Directors, pursuant to section 67.003 of the Election Code, as amended.
14. **Notice of Election.** The Board of Directors shall give notice of said election. This combined Election Order and Notice shall serve as Notice for said election. The Secretary of the Board of Directors is hereby authorized and instructed to post said combined Election Order and Notice on the bulletin board used for posting notices of the meetings of the Board of Directors and on the District's website (per H.B. 2721 (2015)). Said posting shall be made at least 21 days (Thursday, April 13, 2023, per May 6, 2023 Election law Calendar) before the date of said Election. Additionally, the Secretary of the Board of Directors shall complete a Record of Posting Notice of Election at the time of posting.
15. **Publication of Notice.** Not later than the 60th day before the election (Tuesday, March 7 2023), the Secretary shall also cause a copy of this combined Election Order and A Notice to be delivered to the County Clerk's Office at the County Courthouses and Voter Registrars in Guadalupe, Wilson and Bexar Counties and for said Election Order and Notice to be posted at each Courthouse. The Secretary shall also cause a copy of the Election Order and Notice to be published in a newspaper of general circulation at least once on a day between not more than 30 days (Thursday, April 6, 2023), and not less than 10 days (Wednesday, April 26, 2023) before the date of said election.
16. **Meeting Notice.** It is further found, determined and ordered that in accordance with this Order of the Board of Directors, the Secretary has posted written notice of the date, place and subject of this meeting on the bulletin board located in the office of the District, a place convenient and readily accessible to the general public, and said notice, having been so posted, remained posted for the time required by law to precede the scheduled time of said meeting. Additionally, a copy of the meeting notice shall be posted on the District's website.
17. **Voter Registration.** Voters must be registered with the County Clerk or Voter Registrar's office not later than *Thursday, April 6, 2023*.
18. **Ballot by Mail.** Ballots may be applied for by mail or email beginning, Sunday, January 1, 2023, at jbrown@ecsud.com and must be received (not postmarked) at the East Central SUD's Headquarters not later than 5:00 p.m. (close of business), Tuesday, April 25, 2023. Note: An application for Ballot by Mail received by email must contain a scanned copy of an original application with original signature. (Section 84.007(b) and (c)).
19. **Early Voting.** The early voting for the above-designated election shall be at East Central SUD's Headquarters at 5520 FM 1628, Adkins, TX 78101. Said place of early voting shall be open for 8 hours for each day of early voting which is not Saturday, Sunday or an official state holiday, beginning on Monday April 24, 2023

(twelfth day before Election Day) and continuing through Tuesday, May 2, 2023 (fourth day before Election Day), pursuant to section 85.001 of the Election Code, as amended. Said place of voting shall be open from 8:30 a.m. to 5:00 p.m.

20. **Early Voting Clerk's Mailing Address.** The Mailing Address for the Early Voting Clerk is: East Central Special Utility District, Attn: Early Voting Clerk, P.O. Box 570, Adkins, Texas 78101.
21. **Instructions for Election Judge/List of Register Voters.** A list of registered voters for East Central Special Utility District will be provide to the Election Judge by the District's General Manager, Brandon Rohan. The District's boundary, as defined by its CCN includes territory within Guadalupe, Bexar and Wilson Counties. A map of the applicable precincts within each county and the District map have been compared to analyze street addressed located in the District's boundaries to identify registered voters for the Special Utility District's May 6, 2023 Election, and said map, voters list and related information shall be available for (1) early voting and (2) election day voting for the use of the voters and Election Judges as required by law.

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Upon Motion by Milton Lowak, seconded by James Pederson to approve the Saturday, May 6, 2023 Election Order and Notice, the Board voted 9 in favor, 0 opposed, 0 abstaining and 0 not voting (and the Minutes under this agenda's Item No. I (1) (j) are so noted).

ADOPTED THIS 8th day of December, 2022.

EAST CENTRAL SPECIAL UTILITY DISTRICT

By: Melvin E. Strey
Melvin Strey, Board President

ATTEST:

By: Milton Lowak
Milton Lowak, Board Secretary

CERTIFICATE BY SECRETARY

I, Milton Lowak, do hereby certify that I am the Secretary of East Central Special Utility District (hereinafter called "the District"), that the above and foregoing is a true, full and correct copy of the Election Order and Notice duly adopted by the Directors of the District at its duly noticed Board meeting of December 8, 2022, and entered into the Minutes Book of the District that the meeting was duly held in accordance with the By-Laws of the District and that such Election Order and Notice has not been rescinded or modified.

To certify which, witness my hand and seal of said District this 8th day of December, 2022.

Milton Lowak
Secretary of East Central Special Utility District

SEAL



TO: JACQUE, Bexar County Elections Administrator

FAX # (210) 335-0850

FROM: Carolyn Black, Assistant General Manager

CONTACT INFO: (210) 639-2383 or carolyn@ecsud.com

FILED IN MY OFFICE
JACQUELYN F. CALLANEN
ELECTIONS ADMINISTRATOR
2023 MAR -7 PM 2:40
BEXAR COUNTY