

SIGNED this 21st day of July, 2020

/s/Ed. Jensen
Ed Jensen
Secretary, Board of Directors

/s/ Monte Cooper
Monte Cooper
President, Board of Directors

(DISTRICT SEAL)



ORDER CALLING DIRECTORS ELECTION

THE STATE OF TEXAS §
COUNTIES OF HARRIS §
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99 §

WHEREAS, pursuant to Section 49.103, Texas Water Code, as amended, and Sections 41.001 and 41.0052, Texas Election Code, as amended, **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99** (the "District") is required to hold a Directors Election (the "Election") on the first (1st) Saturday in May, 2020; and

WHEREAS, pursuant to Section 418.016 of the Texas Government code, the Governor of Texas issued a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code and Texas Water Code to allow local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date due to the COVID-19 pandemic; and

WHEREAS, the Board of Directors (the "Board") of the District met on March 30, 2020, determined that it was in the best interest of the residents of the District to postpone the Election based on the then current knowledge of the COVID-19 coronavirus and guidance from the Texas Secretary of State, Elections Division, and ordered the Election to be postponed to the November 3, 2020 uniform election date; and

WHEREAS, the District is required to hold a Director's Election on the November 3, 2020 uniform election date; and

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

WHEREAS, Section 31.092(a) of the Texas Election Code authorizes the governing body of a political subdivision to contract with the county election office to perform election services in any election ordered by the political subdivision; and

WHEREAS, Section 271.002 et. seq. of the Texas Election Code authorizes a joint election 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; and

WHEREAS, the Board has determined that it will conduct a joint election with Harris County pursuant to the Joint Election Agreement and Contract for Election Services; and

WHEREAS, the Election will be administered by the Harris County Elections Administrator pursuant to the Joint Election Agreement and Contract for Election Services; and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99, THAT:

I.

The matters and facts set out in the preamble of this Order are hereby found and declared to be true and correct.

II.

An Election shall be held for the District between the hours of 7:00 am to 7:00 pm on the 3rd day of November, 2020 for the election of two (2) Directors for the District, each of which shall serve the remaining portion of a four (4) year term that began on May 3, 2020. Election Day polling places are listed in Exhibit "A".

III.

Such Election shall be held and conducted in all respects as provided by law for general elections, except as provided by Chapter 49, Texas Water Code, as amended.

IV.

All duly qualified resident voters of the District shall be allowed to vote at such Election.

V.

The Board hereby designates its Attorney, Johnson Petrov LLP ("Attorney" or "Appointed Agent"), 2929 Allen Parkway, Suite 3150, Houston, Texas 77019, as authorized representative for purposes of the Election, and any and all documents required to be filed with or notices required to be given by the Secretary of the Board under the provisions of the Texas Election Code shall be deemed filed and notices shall be deemed given if filed with or given to the Board's Attorney.

VI.

The District received four (4) applications to be listed as a candidate for director on the ballot prior to the February 14, 2020 deadline. Pursuant to the Texas Secretary of State's Election Advisory No. 2020-12, the postponement of the Election does not have the effect of reopening candidacy filing. Therefore, the District may not accept any additional applications for the listing of a candidate for director on the ballot or write-in candidacy.

VII.

The notice of election is to be provided in accordance with the requirements of the Texas Election Code. The notice is to be provided to the Harris County Clerk not later than the 60th day before election day.

VIII.

The ballots for such Election shall be prepared in sufficient number and in conformity with the Texas Election Code, as amended, and shall be substantially as follows:

Directors Election
Tuesday, November 11, 2020

OFFICIAL BALLOT

Electronic Instructions:

To vote for the candidate of your choice in each race, rotate the SELECT wheel to highlight none, one (1) or two (2) candidates of your choice. When your choices are highlighted in blue, press the ENTER button.

Paper Ballot Instructions:

Mark the ballot by placing an "X" in the square beside none, one (1) or two (2) candidates of your choice.

<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

The order in which the candidates' names appear on such ballot was previously determined at a drawing to be held in compliance with the Texas Election Code, as amended. Any write-in votes cast in said Election shall not be counted unless the name appears on the list of write-in candidates.

IX.

Harris County Elections equipment will be used in the Election. Electronic optical scan voting devices may be used in conducting the Election. The Harris County Voter Registrar may also use a central counting station as provided by Sections 127.001 *et. seq.* of the Texas Election Code.

X.

Voting shall be by the use of electronic or paper ballots which shall be printed in English, Spanish, Vietnamese, and Chinese. The ballots used in the Election shall have placed thereon the names of the candidates for the office of director and blank spaces for write-in votes. The voter may vote for up to two (2) persons for director by writing the candidates name in the blank spaces provided if there are any declared write-in candidates.

XI.

The officers of such Election shall be as follows:

Chris Hollins, Harris County Clerk, County Elections Administrator

XII.

Early voting by personal appearance shall be conducted at locations listed in Exhibit "B". These places shall remain open on the dates and at the time set forth in said Exhibit. Chris Hollins, Harris County Elections Administrator, is hereby appointed as the Early Voting Clerk.

XIII.

Early voting ballots for voting by mail may be obtained from and mailed or emailed to such clerk at:

- **Regular Mail:**
Chris Hollins
Harris County Clerk
Attn: Elections Division
P.O. Box 1148
Houston, TX 77251-1148
- **Common or contract carrier:**
Chris Hollins
Harris County Clerk
1001, Preston, 4th Flr, Rm. 440
Houston, TX 77002

Email: BBM@cco.hctx.net

Fax: (713) 755-4983 or (713) 437-8683

XIV.

Immediately after such Election, the Election officers shall make returns of the results to the District's Appointed Agent, who shall keep them and deliver same to the Board at its canvassing meeting, at which time the Board shall canvass said returns and declare the returns of the said election.

XV.

The President or Vice President and Secretary or any Assistant Secretary of the Board are hereby authorized to evidence adoption of this Order and directed to do any and all things legal and necessary in connection with the holding and consummation of such Election and to carry out the intent hereof.

XVI.

If any provision, section, sentence, clause, or phrase of this Order is held by any reason to be invalid, such invalid portions shall not affect the validity of the remaining portion of this Order.

(EXECUTION PAGE FOLLOWS)

WITNESS OUR HANDS AND THE SEAL OF THE DISTRICT this 21st day of July,
2020.

Monte Cooper,
President, Board of Directors

ATTEST:

Ed Jensen
Secretary, Board of Directors

(DISTRICT SEAL)