

AMENDED AND RESTATED
ORDER CALLING SUPERVISORS AND TAX ASSESSOR/COLLECTOR ELECTION

WHEREAS, on January 16, 2020, the Board of Supervisors (the "Board") of Fort Bend County Fresh Water Supply District No. 1 (the "District") called a Supervisors and Tax Assessor/Collector Election to be held within and for the District between the hours of 7:00 a.m. and 7:00 p.m., on May 2, 2020, for the purpose of electing three (3) supervisors and one (1) tax assessor/collector (the "Election"); and

WHEREAS, on March 18, 2020, pursuant to Section 418.016 of the Texas Government Code, the Governor of the State of Texas issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to permit a political subdivision which was utilizing the May 2, 2020, Uniform Election Date to postpone its election to the November 3, 2020, Uniform Election Date; and

WHEREAS, on March 18, 2020, the Texas Secretary of State issued Election Advisory 2020-12, to provide guidance to a local political subdivision regarding postponement of a May 2, 2020, election; and

WHEREAS, by communication dated March 18, 2020, the County urged the District to postpone its election to protect the health and safety of citizens; and

WHEREAS, pursuant to the Governor's Proclamation and the Texas Secretary of State's Election Advisory 2020-12, and out of concern for the health and safety of voters, election works, and local election officials, the Board of the District found it to be in the best interest of the District to postpone the Election to the November 3, 2020; and

WHEREAS, on March 26, 2020, the Board of the District adopted an Order Postponing Election, which Order postponed the May 2, 2020, Supervisors and Tax Assessor/Collector Election until the November 3, 2020, Uniform Election Date, and held over the terms of the current Supervisors and Tax Assessor/Collector until the November 3, 2020, Uniform Election Date.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1 THAT:

Section 1: The May 2, 2020, Supervisors and Tax Assessor/Collector Election which was postponed by Order dated March 26, 2020, shall be held within and for the District between the hours of 7:00 a.m. and 7:00 p.m., on November 3, 2020. At said election there shall be submitted to the duly qualified resident electors of the District the matter of electing three (3) supervisors, and one (1) tax assessor/collector.

Section 2: The District has entered into a Joint Election Agreement and Contract for Election Services (the "Contract") with Fort Bend County (the "County") which provides that the County will conduct the election on behalf of the District.

Section 3: Subject to the provisions of Chapter 31, Subchapter D of the Election Code, the District agrees to allow the County to administer an election to be held for the District on November 3, 2020, between the hours of 7:00 a.m. and 7:00 p.m., at a place to be determined by the County. Pursuant to the Contract, the District has directed that the place for the election be a suitable public building and a proper place for conducting said election.

Section 4: Voting in said election shall be by the use of an electronic voting system prepared by the County pursuant to the Contract and Texas Election Code, Chapter 123. Ballots shall be in both English and Spanish as required by federal voting rights law. The voter may vote for up to three (3) persons for supervisor by placing an "X" in the square beside the person's name, and may vote for one (1) person for Tax Assessor and Collector by placing an "X" in the square beside the person's name. 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 absentee voting clerk.

Section 5: The order in which the names of the candidates are to be printed on the ballot was determined by a drawing which was conducted by the District's agent for the election on February 24, 2020. Each candidate involved in the drawing or a representative designated by him was duly notified of the right to be present and observe the drawing.

Section 6: Any write-in votes cast in said election shall not be counted unless the name appears on the list of write-in candidates. To be entitled to a place on the list of write-in candidates, a candidate must have made a declaration of write-in candidacy and filed said declaration with the District's appointed agent no later than 5:00 p.m. on February 18, 2020.

Section 7: The boundaries of the District are hereby established as and shall constitute one election precinct. The Elections Administrator of Fort Bend County (the "Administrator") shall appoint the presiding judge and clerks for the election pursuant to the Contract. The Administrator may appoint, as he or she deems necessary, clerks to assist in the conduct of the election. If the regularly appointed presiding judge is unable to serve at the election, the alternate presiding judge shall serve as the presiding judge for the election. If the election is conducted by the regularly appointed presiding judge, he or she may appoint the alternate presiding judge as one of the clerks to serve at the election.

The early voting ballot board shall be appointed by the Administrator in accordance with the Contract.

Early voting in the election by personal appearance shall occur as provided by the County pursuant to the Contract. The clerk for early voting shall be the Administrator, and the place at which such early voting shall be conducted is to be determined by the County pursuant to the Contract. The early voting clerk's email address at which the early voting clerk may receive applications for ballot by mail is vote@fortbendcountytexas.gov. The early voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is Mr. John Oldham, Elections Administrator of Fort Bend County, 301 Jackson Street, Suite 100, Richmond, Texas 77469-3108.

Section 8: The Administrator is hereby appointed as the agent for the Secretary of the Board of the District for the purpose of being custodian of the election records. The agent shall maintain election records in accordance with the Texas Election Code.

Section 9: All qualified resident electors of the District shall be entitled to vote in the election.

Section 10: The President and Secretary of the Board and the District's attorney are authorized and directed to take any action necessary to carry out the provisions of this Order. The District hereby approves the Contract with the County to assist with the election and authorizes execution of such Contract by any member of the Board.

Section 11: In accordance with Texas Election Code, Section 4.003, the President and the Secretary of the Board or the District's agent is hereby directed to cause notice of this election to be posted within the District (at the place where notices of meetings are posted) at least twenty-one (21) days before the date of the election, or the next business day after the twenty-first day if the twenty first day is a Saturday, Sunday, or official State holiday and at such other places as notice of the meetings of the Board of Supervisors of the District are required to be posted.

Section 12: The election shall be held and conducted and returns made to this Board of Supervisors in accordance with the Texas Election Code, as modified by Chapter 49, Texas Water Code, as amended.

If the District's agent for the preparation of the ballot should certify in writing to the Board of Supervisors of the District that the candidates for election to the Board are unopposed for election (the "Unopposed Certification"), the Board shall declare each unopposed candidate elected to office as set forth herein. Upon receipt of the Unopposed Certification, the Secretary of the Board, or the District's agent, is authorized to post notice that the election will not be held. Such notice shall be posted on or before the commencement of early voting at each

polling place. Upon the timely posting of the notice, the District will not be required (i) to post or publish notice of the election, (ii) to prepare ballots for the election, (iii) to prepare election materials, or (iv) to hold early and regular voting. The Board shall meet at the earliest practicable time to declare each unopposed candidate elected to office. If this declaration is made, the election will not be held.

If the District's agent for the preparation of the ballot should certify in writing to the Board of Supervisors of the District that the candidate for election as the Tax Assessor/Collector for the District is unopposed for election (the "Unopposed Certification"), the Board shall declare the unopposed candidate elected as the Tax Assessor/Collector of the District as set forth herein. Upon receipt of the Unopposed Certification, the Secretary of the Board, or the District's agent, is authorized to post notice that the election of a Tax Assessor/Collector will not be held. Such notice shall be posted on or before the commencement of early voting at each polling place. Upon the timely posting of the notice, the District will not be required (i) to post or publish notice of the election of a Tax Assessor/Collector, (ii) to prepare ballots for the election of a Tax Assessor/Collector, (iii) to prepare election materials for election of a Tax Assessor/Collector, or (iv) to hold early and regular voting for election of a Tax Assessor/Collector. The Board shall meet at the earliest practicable time to declare the unopposed candidate for Tax Assessor/Collector elected to office. If this declaration is made, the election for Tax Assessor/Collector will not be held.

Section 13: The rate of pay for judges and clerks of the election shall be determined by the Administrator, in compliance with the Texas Election Code.

Section 14: The President and Secretary are authorized and directed to take any action necessary to carry out the provisions of this order.

PASSED AND APPROVED this 12th day of August, 2020.

/s/ Paul Hamilton
President, Board of Supervisors

ATTEST:

/s/ Calvin Casher
Secretary, Board of Supervisors