

L. Ewald, Lindsey Gillum and Paul A. Mueller in their official capacities. The results of the election confirmed the establishment of the LMWCID and elected the Temporary Directors to the position of LMWCID's Permanent Directors.

2. As per §49.102 of the Texas Water Code, an election to determine whether the LMWCID as a proposed district shall be established and to elect LMWCID permanent directors "shall be held within the boundaries of the proposed district". In violation of the statute, the election of November 3, 2020 was not held within the boundaries of the District as a result of the Temporary Directors' election order.¹ Instead, the election occurred at county precincts and polling places wholly outside of LMWCID boundaries.

3. The Plaintiffs sue to have this Court declare the election void due to the violations of the Water Code and Election Code as discussed herein, and grant an injunction preventing confirmation of the establishment of the LMWCID and the election of the permanent directors as provided below.

II. DISCOVERY PLAN

4. Contestant/Plaintiffs intend to conduct discovery under Level 3, pursuant to Rule 190.4 of the Texas Rules of Civil Procedure.

III. PARTIES

5. Contestants/Plaintiffs, *Steve Bruington and Nancy Bruington* ("Plaintiffs") are husband and wife and reside at 560 Three Oaks Road, Seguin, Texas 78155 beginning in August of 2007 and are registered voter within the boundaries of the LMWCID. They are not a developer of property in the District. They have not received monetary consideration from a

¹ There were early voting sites and none of these polling sites were within the boundaries of the LMWCID.

developer of property in the District for their vote in the election for confirmation of LMWCID and other propositions that are on the ballot for the election held on November 3, 2020.

6. Defendant *Lake McQueeney Water Control and Improvement District #1*, is a temporary Water Control and Improvement District and political subdivision of the State of Texas, and its proposed boundaries are within Guadalupe County, Texas. Defendant may be served by serving the President, Robert L. Worth, at 270 Terrell Rd., Terrell Hills, TX 78209.

7. Robert L. Worth, Contestant, is President of the LMWCID and ex officio Presiding Officer of the final canvassing authority, Temporary Director, and is a candidate in the election of Permanent Directors and may be served at 270 Terrell Rd., Terrell Hills, TX 78209 and if not located at this address may be served at 4040 Broadway, #522, San Antonio, Texas 78209. Mr. Worth is sued in his official capacity only.

8. Paul A. Mueller, Defendant, is a Temporary Director and candidate in the election of Permanent Directors for LMWCID and may be served at 3366 N. State Highway 46, Seguin, Texas 78155. Mr. Mueller is sued in his official capacity only.

9. John Ewald, Defendant, is a Temporary Director and candidate in the election of Directors for LMWCID and may be served at 232 Laguna Rio Seguin, Texas 78155. Mr. Ewald is sued in his official capacity only.

10. Lindsay Gillum, Defendant, is a Temporary Director and candidate in the election of Permanent Directors for LMWCID and may be served at 308 Paseo Drive Seguin, Texas 78155. Ms. Gillum is sued in her official capacity only.

11. David Doughtie, Defendant, is a Temporary Director and candidate in the election of Permanent Directors for LMWCID and may be served at 536 Woodlake, Drive McQueeney, Texas 78123. Mr. Doughtie is sued in his official capacity only.

IV.
VENUE AND JURISDICTION

12. Venue is proper in Guadalupe County, Texas, pursuant to the Texas Civil Practice and Remedies Code Section 15.002. All or a substantial part of the events at issue occurred in Guadalupe County, Texas.

13. This suit is for declaratory relief within the jurisdiction of this Court. Plaintiffs bring this action pursuant to the Texas Uniform Declaratory Judgment Act, Tex. Civ. Prac. & Rem. Code Chapter 37.001 et seq., general injunction statute, Tex. Civ. Prac. & Rem. Code §65.001 et seq., and Texas Rule of Civil Procedure 680. By authorizing declaratory judgment actions to construe legislative enactments of governmental entities, requiring the joinder of governmental entities whose enactments are construed and the validity of same and by authorizing attorney fee awards, the Uniform Declaratory Judgment Act waives Defendant's governmental immunity.

14. This suit is an election contest pursuant to Title 14, Chapter 233 of the Texas Election Code and venue is proper in Guadalupe County.

15. The judge of this District Court is disqualified to preside over this contest. Therefore, the presiding judge of the administrative judicial region must assign a special judge to preside in the contest.

16. A copy of this Petition was delivered to the Texas Secretary of State as required by the Texas Election Code.

V.
FACTS

17. The LMWCID is a water control and improvement district and Texas political subdivisions created and organized pursuant to Article XVI, Section 59 of the Texas Constitution and Chapter 51 of the Texas Water Code. The LMWCID operates within Guadalupe County,

Texas and provides improvements to rivers and the construction, improvement, and maintenance of lakes and other purposes related to water preservation and conservation in its geographic jurisdiction and area. The general purpose of the LMWCID is the repair of Lake McQueeney dam and the maintenance and operation of Lake McQueeney. The LMWCID's operations are to be funded almost exclusively through the assessment of taxes on the landowners, including Contestant/Plaintiffs, that reside within LMWCID boundaries.

18. On November 13, 2019, 55 landowners within the proposed boundaries of the LMWCID filed a Petition with the Guadalupe County Commissioners Court to create a proposed district nominally referred to as the LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1. On December 17, 2019 the Guadalupe County Commissioners Court issued an Order to create LMWCID.

19. Upon the adoption and approval of the Commissioners Court Order, the LMWCID could not be established, created and confirmed without approval of the voters within the boundaries of the LMWCID. On August 17, 2020 the board of Temporary Directors of the LMWCID called an election to determine if the proposed District shall be established, to elect permanent directors, hold a special contract election, and hold an operation and maintenance tax election. The Order of Election that was approved by the Temporary Directors had the following propositions on the ballot:

PROPOSITION A: SHALL THE CREATION OF THE LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT BE CONFIRMED?

PROPOSITION B: SHALL THE PROVISIONS OF THE CONTRACT FOR FINANCING AND OPERATION OF LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES BETWEEN LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND GUADALUPE-BLANCO RIVER AUTHORITY ("GBRA") BE APPROVED, INLCUIDNG PARTICULARLY THE PROVISIOIN THEREOF REQUIREING THE DISTRICT TO LEVY AN ANNUAL AD VALOREM TAX ON ALL

TAXABLE PROPERTY WITHIN SAID DISTRICT TO MAKE CERTAIN PAYMENTS THEREUNDER FOR THE DEBT SERVICE REQUIREMENTS OF THE GBRA LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES BONDS AND FOR CHARGES ASSOCIATED WITH GBRA'S OPERATION AND MAINTENANCE OF THE LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES, ALL AS DEFINED AND PROVIDED IN SAID CONTRACT?

PROPOSITION C: SHALL THE BOARD OF DIRECTORS OF LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NOT BE AUTHORIZED TO LEVY AND COLLECT AN OPERATION AND MAINTENANCE TAX (IN ADDITION TO ANY OTHER OPERATION AND MAINTENANCE TAX AUTHORIZED BY THE VOTERS OF SAID DISTRICT) NOT TO EXCEED FIVE CENTS (\$0.05) PER ONE HUNDRED DOLLARS (\$100) VALUATION ON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT TO SECURE FUNDS FOR THE OPERATION AND MAINTENANCE OF ALL DISTRICT FACILITIES AUTHORIZED BY ARTICLE XVI, SECTION 50, OF THE TEXAS CONSTITUTION, INCLUDING BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING ACQUIRING, MAINTAINING, REPAIRING, AND OPERATING ALL NECESSARY LAND, PLANTS, WORKS, FACILITIES, IMPROVEMENTS, APPLICANCES, AND EQUIPMENT OF THE DISTRICT, AND FOR PAYING RELATED COSTS OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATIONS AND ADMINISTRATIVE EXPENSES?

20. On November 3, 2020, these propositions passed with an unofficial vote of 515/503/497 for and an unofficial vote of 49/59/69 against, thereby confirming the creation of LMWCID, implementing an ad valorem tax and approving bonds to be issued. In addition to these propositions, LMWCID Permanent Directors were elected including David Doughtie, John Ewald, Lindsey Gillum, Robert L. Worth and Paul A. Mueller, each of which are named as Contestant and/or Defendant in this cause. For obvious reasons, if the LMWCID was not confirmed, Permanent Directors could not be elected.

21. The Order of election provided that the LMWCID would use the county election precincts and enter into an interlocal agreement with Guadalupe County to conduct the election.

The Order provided the polling sites where LMWCID would hold the election. All sites were illegally located outside the boundaries of the LMWCID.²

VI. CAUSES OF ACTION

A. Election Contest

1. Illegal Votes and Votes Not Countable

22. The Court in making the determination of this election contest shall attempt to ascertain whether the outcome of the contested election, as shown by the final canvass, is not the true outcome because illegal votes were counted. §221.003(a) of the Texas Election Code. “Illegal Vote” means a vote that is not legally countable. Id

23. For this Court to be able to determine whether an illegal vote was cast, it will need to consult the statutory requirements for holding the LMCID Election. Chapter 49 of the Texas Water Code is applicable to all general and special law Districts which includes the LMWCID. See §49.002 of the Texas Water Code. Subchapter D of Chapter 49 of the Texas Water Code provides the requirements for holding the LMCID Election. This subchapter provides that all elections *shall be* generally conducted in accordance with the Election Code except as otherwise provided for within the Water Code. The Election Order approved and passed by the LMWCID Temporary Directors provided the election would be called pursuant to §49.102 of Texas Water Code. §49.102 provides the following:

- (a) “Before issuing any bonds or other obligations, an election **shall be held within the boundaries of the proposed district** [emphasis added] on a uniform election date provided by Section 41.001, Election Code, to determine if the proposed district shall be established and, if the directors of the district are required by law to be elected.”

² See Exhibit “A” Order Calling Confirmation Election, Director Election, Special Contract Election, and Operation and Maintenance Tax Election and the attached Exhibit A, Polling Sites for the General Election, and B, Early Voting Dates and Hours, to the notice which is incorporated as set forth herein.

The election was unequivocally *required* by statute to be held within the boundaries of the District. This requirement is not directory, not discretionary but is mandatory. Mandatory provisions in election laws include those provisions requiring an election to be by ballot, setting the day and **place** of the election, and eligibility requirements. The place [location] of an election is mandatory, there no leeway given and substantial compliance does not apply. However, place of the election is a mandatory provision and if not met, the election is void.

24. This entire election confirming the LMWCID, electing permanent directors and all the other propositions was held completely outside the place of the election as required by the Water Code and all the votes were illegal and not countable.³ The election is void because the LMWCID failed to hold the election at the mandatory place as specified by the Water Code, thus making every vote illegal and not countable. The Temporary Directors wholly lacked discretion to order the election occur outside of the LMWCID boundaries.

2. Void Election

25. Since all the votes on the creation of the LMWCID and on the other propositions were illegal at the time and place they were cast, the election is void ab initio and this court is not able to ascertain the true outcome. *See* Tex. Elec. Code §221.012 and §233.011. The court may not order a new election if the contested election is void. Because the mandatory requirements for holding the election were not met, the election confirming the LMCID is void as well as all the other ballot propositions.

B. Ultra Vires

³ See Exhibit "A" Order Calling Confirmation of Election, Director Election, Special Contract Election, and Operation and Maintenance Tax Election which contains the election day voting locations contained in Exhibit "A" and early voting locations as Exhibit "B". Also, all ballots by mail were to be sent to Lisa Hayes at the Guadalupe Election Office, 215 Milam, Seguin, Texas and this location is outside the boundaries of the District.

26. On August 17, 2020, the Temporary Directors of LMWCID, in their official capacities, adopted and approved without legal authority or on excess of applicable authority, an election order calling for an election to confirm the establishment of the LMWCID and approval of Proposition B and C, each to be held outside the proposed boundaries of LMCWID. As a result, this election was ordered and eventually held in violation of State Law, without legal authority, or alternatively, in excess of authority granted the Temporary Directors. Pursuant to §49.102 of Texas Water Code, the elections were *required* to be held within the proposed boundaries of the LMWCID. The Temporary Directors did not have discretion as to where the election was to be held. The location of the election is mandated by the legislature to occur only within the proposed boundaries of LMWCID. These are mandatory statutory duties prescribed by the Texas Water Code. The Temporary Directors acted *ultra vires* or beyond their authority in law by ordering an election to be held outside the proposed boundaries of the LMWCID

27. Due the *ultra vires* acts by the Temporary Directors when ordering the election to be held outside the boundaries of LMWCID, the entire election is void and should be declared void ab initio and permanently enjoined.

C. Declaratory Judgment

28. The Contestants are persons whose rights, status, or other legal relations are affected by a statute, municipal ordinance and may have determined any question of construction or validity arising under same and obtain a declaration of rights, status, or other legal relations thereunder. The Contestant/Plaintiffs are entitled to declaratory relief to determine their rights arising under the Water Code, including §49.102 and the Temporary Directors' order that ordered the election. See Tex. Civ. Prac. & Rem. Code §§37.004, 37.006. Specifically, Contestant/Plaintiffs seek a declaration that their rights have been violated by LMWCID and the Temporary Directors acting

beyond the scope of their duties by ordering the election to be held outside the proposed boundaries of the LMWCID and the Texas Water Code. *See* §49.102 of Texas Water Code.

VII.

REQUEST FOR TEMPORARY RESTRAINING ORDER

29.The Contestant/Plaintiffs incorporate the above paragraphs into this section by reference as if fully set out. Contestants seek a restraining order and injunction under Texas Civil Practice and Remedies Code § 65.011. Per Texas Civil Practice and Remedies Code § 65.011, and Texas Election Code § 273.081 a writ of injunction may be granted if:

- (1) the applicant is entitled to the relief demanded and all or part of the relief requires the restraint of some act prejudicial to the applicant;
- (2) a party performs or is about to perform or is procuring or allowing the performance of an act relating to the subject of pending litigation, in violation of the rights of the applicant, and the act would tend to render the judgment in that litigation ineffectual;
- (3) the applicant is entitled to a writ of injunction under the principles of equity and the statutes of this state relating to injunctions;
- (4) a cloud would be placed on the title of real property being sold under an execution against a party having no interest in the real property subject to execution at the time of sale, irrespective of any remedy at law;
- (5) irreparable injury to real or personal property is threatened, irrespective of any remedy at law; or
- (6) A person who is being harmed or is in danger of being harmed by a violation or threatened violation of this Code [Texas Election Code] is entitled to appropriate injunctive relief to prevent the violation from continuing or occurring.

30.The election was indisputably held outside the proposed boundaries of the LMWCID. All the votes in the election were illegal, therefore the election for the confirmation of LMWCID and the ballot propositions are void. Due to same, the confirmation of LMWCID and the ballot propositions are of no effect and should be enjoined. Contestants have a viable cause of action as

enumerated above, probable right to relief sought, and will likely succeed on the merits of its lawsuit. Plaintiffs will suffer probable, imminent, and irreparable injury in the interim if the Contestants are not enjoined from confirming LMWCID and moving forward with the ballot propositions. The election will result in the assessment of illegal ad valorem taxes that were not properly voted on and approved by the electorate and the election of Permanent Directors that were not properly and legally elected.

31. Chapter 65 of the Texas Civil Practice and Remedies Code and Texas Rule of Civil Procedure § 680, collectively, provide for a temporary restraining order and injunctive relief to be issued if the Contestant has a (1) viable cause of action; (2) probable right to relief sought; and (3) a probable, imminent, and irreparable injury in the interim. For the reasons stated herein, Contestants have established causes of action with some evidence of a likelihood of success on the merits under the applicable rules of law. Additionally, Contestants have a probable, imminent, and irreparable injury in the interim if Contestees are not enjoined. In other words, Contestees actions will have an irreparable effect on the interests of the Contestants and the general public unless Defendant is timely restrained by this Court. As such, this Court has the authority to issue appropriate orders to protect the rights and interests of the Contestants and the general public. Moreover, Plaintiffs do not have an adequate remedy at law, and absent a temporary restraining order (and injunctive relief discussed below), the Plaintiffs' impending injuries and harm, due to the Defendants' action, will occur and continue immediately upon the confirmation of LMWCID and the canvassing of votes and sitting Directors on the board of the LMWICD that were elected by illegal votes. Further, Plaintiffs are enforcing Subchapter E of the Texas Election Code and pursuant to §273.081 are entitled to an injunctive relief. Therefore, Plaintiffs request the following injunctive relief:

- a. The candidates that were on the ballot for this election not be allowed to serve, qualify for and sit as permanent directors;
- b. The confirmation of LMWCID not be established and recognized;
- c. That the ad valorem taxes that were on the ballot not be assessed, collected or recognized;
- d. The landowners' property that is included within the proposed boundaries of LMWCID not be placed on the tax rolls or be recognized for ad valorem purposes;
- e. There not be any board meetings of the LMWCID directors;
- f. There not be a levy of tax as stated within Proposition C;
- g. There not be any bonds issued as stated within Proposition B;
- h. The provisions of the contract between LMWCID and Guadalupe-Blanco River Authority not be executed and/or approved as stated within Proposition B;
- i. Contestees shall suspend any proceedings related to the confirmation of LMWCID, the appointment of directors, and the enactment of Proposition B and Proposition C and shall not forward any documentation to any governmental entity or state agency related to same.

The Contestants are willing to post a bond if legally required.

VIII.
REQUEST FOR TEMPORARY AND PERMANENT INJUNCTION

32. Based on the foregoing, Contestant/Plaintiffs respectfully request issuance of a temporary injunction to preserve and maintain the status quo pending a full trial on the

merits. All of the relief requested in the application for temporary restraining order should be extended to the temporary injunction issued by this Court.

33. Based on the foregoing, Contestant/Plaintiffs respectfully request upon final hearing that the Court issue permanent injunction against Contestee/Defendant. All of the relief requested in the application for temporary restraining order should be extended to the permanent injunction issued by this Court.

IX.
REQUEST FOR ATTORNEY FEES

34. Pursuant to § 37.009 of the Texas Civil Practice and Remedies Code, request is made for all costs and reasonable and necessary attorney's fees, as the Court deems equitable and just.

X.
REQUEST FOR DISCLOSURE

35. Contestant/Plaintiffs hereby request that Defendants/Contestees provide and disclose the information required by Tex. R. Civ. P. Rule 194 within fifty (50) days of the service of this Petition.

XI.
PRAYER

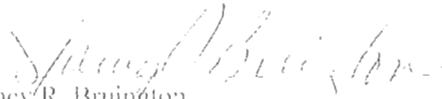
WHEREFORE, PREMISES CONSIDERED, Contestant/Plaintiffs respectfully pray for the following:

1. a declaratory judgment by this Court for the declaratory relief as requested herein;
2. that this Court enjoin the Contestee/Defendant from giving effect to the confirmation of LMWCID and Proposition B and C in the manner and to the extent necessary to

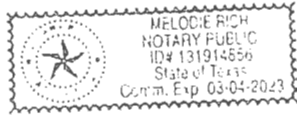
VERIFICATION

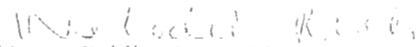
STATE OF TEXAS §
 §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, personally appeared NANCY R. BRUINGTON on this, the 17th day of November, 2020, who, first being duly sworn under oath by me, deposed and stated that she has read the foregoing Original Petition for Election Contest, Declaratory Judgment, Request for Temporary Injunction and Permanent Injunction and verifies the statements contained within it are true and correct, and are within her own personal knowledge.


Nancy R. Bruington

SUBSCRIBED AND SWORN TO before me, ~~Attest~~ the undersigned authority, on this, the 17th day of November, 2020.




Notary Public, State of Texas

My Commission Expires: 3-4-23

ORDER CALLING CONFIRMATION ELECTION, DIRECTOR ELECTION, SPECIAL CONTRACT ELECTION, AND OPERATION AND MAINTENANCE TAX ELECTION

WHEREAS, Lake McQueeney Water Control and Improvement District No. 1 (the "District"), located in Guadalupe County, Texas, was heretofore legally created on December 17, 2019, by an Order of the Guadalupe County Commissioners Court and operates pursuant to the general laws of the State of Texas applicable to water control and improvement districts under Chapter 51 of the Texas Water Code, and the appointed directors of the District have met and organized and have qualified to serve as directors of the District by making the sworn statement, taking the oath, and making the bond required by law; and

WHEREAS, the District was created under the authority of Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 51, Texas Water Code, and has all of the purposes and powers described therein; and

WHEREAS, it is now necessary to call an election in accordance with Section 49.102, Texas Water Code, for the purpose of confirming the creation and establishment of the District and for the purpose of the election of five permanent directors thereof; and

WHEREAS, pursuant to the provisions of Texas law, including Chapters 49 and 51 of the Texas Water Code, Chapter 791 of the Texas Government Code, and VCS Art. 820-106, the District and Guadalupe-Blanco River Authority ("GBRA") are authorized to enter into a Contract for Financing and Operation of the Lake McQueeney Dam and Hydroelectric Facilities (the "GBRA Contract"); and

WHEREAS, the Board of Directors of the District (the "Board") desires the voters to approve the provisions of the GBRA Contract whereby GBRA will design, repair, replace, operate, and maintain the Lake McQueeney Dam and related structures, facilities, and improvements in order to store and preserve the waters within Lake McQueeney, and whereby GBRA will be authorized to issue bonds ("GBRA Bonds") in the maximum principal amount of \$40,000,000 for said purpose, with a maturity not to exceed 40 years, and whereby GBRA will provide gross hydroelectric revenue to the District from sales of electricity generated at the Hydroelectric Facilities at Lake McQueeney, and said GBRA Contract will be on file as required by Section 49.108, Texas Water Code, and available for public inspection at the District's Office; and

WHEREAS, said GBRA Contract provides that the District will call an election for the approval of said GBRA Contract and the authorization to levy, assess and collect ad valorem taxes on all taxable property within the District to make certain payments thereunder; and

WHEREAS, Section 49.108, Texas Water Code, provides that a district may make

payments under a contract from taxes after the provisions of the contract have been approved by a majority of the electors voting at an election held for that purpose; and

WHEREAS, the Board desires to have the provisions of the Contract approved by the electors of the District; and

WHEREAS, Section 49.107, Texas Water Code, provides that the District may levy and collect a tax for operation and maintenance purposes after such tax is approved by a majority of the electors voting in an election held for that purpose; and

WHEREAS, the Board is of the opinion that an election should be held for the purpose of submitting a proposition on the levy of an operation and maintenance tax for facilities authorized by Article XVI, Section 59 of the Texas Constitution; and

WHEREAS, the Board wishes to proceed with the ordering of said elections; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 THAT:

Section 1: The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.

Section 2: The elections shall be held at the locations specified on Exhibit A on November 3, 2020, at which there shall be submitted the questions of the confirmation of the District, the election of permanent directors, the approval of the GBRA Contract, and the levy of an operation and maintenance tax.

Section 3: The following propositions shall be submitted to the resident electors of the District:

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

PROPOSITION A

SHALL THE CREATION OF LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 BE CONFIRMED?

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

PROPOSITION B

(CONTRACT FOR FINANCING AND OPERATION OF LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES)

SHALL THE PROVISIONS OF THE CONTRACT FOR FINANCING AND OPERATION OF LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES BETWEEN LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND GUADALUPE-BLANCO RIVER AUTHORITY ("GBRA") BE APPROVED, INCLUDING PARTICULARLY THE PROVISION THEREOF REQUIRING THE DISTRICT TO LEVY AN ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT TO MAKE CERTAIN PAYMENTS THEREUNDER FOR THE DEBT SERVICE REQUIREMENTS OF THE GBRA LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES BONDS AND FOR CHARGES ASSOCIATED WITH GBRA'S OPERATION AND MAINTENANCE OF THE LAKE MCQUEENEY DAM AND HYDROELECTRIC FACILITIES, ALL AS DEFINED AND PROVIDED IN SAID CONTRACT?

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

PROPOSITION C

(MAINTENANCE TAX FOR ARTICLE XVI, SECTION 59, FACILITIES)

SHALL THE BOARD OF DIRECTORS OF LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 BE AUTHORIZED TO LEVY AND COLLECT AN OPERATION AND MAINTENANCE TAX (IN ADDITION TO ANY OTHER OPERATION AND MAINTENANCE TAX AUTHORIZED BY THE VOTERS OF SAID DISTRICT) NOT TO EXCEED FIVE CENTS (\$0.05) PER ONE HUNDRED DOLLARS (\$100) VALUATION ON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT TO SECURE FUNDS FOR OPERATION AND MAINTENANCE OF ALL DISTRICT FACILITIES AUTHORIZED BY ARTICLE XVI, SECTION 59, OF THE TEXAS CONSTITUTION, INCLUDING, BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING, AND OPERATING ALL NECESSARY LAND, PLANTS, WORKS, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF THE DISTRICT, AND FOR PAYING RELATED COSTS OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES?

Section 4: In addition to any other measures, propositions, or offices to be voted on, the ballots used in the elections shall have printed thereon the following:

OFFICIAL BALLOT

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1

PROPOSITION A

- () FOR DISTRICT
- () AGAINST DISTRICT

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1

PROPOSITION B

- () FOR
 - () AGAINST
-) THE PROVISIONS OF THE CONTRACT
 -) BETWEEN LAKE MCQUEENEY WATER
 -) CONTROL AND IMPROVEMENT DISTRICT
 -) NO. 1 AND THE GUADALUPE-BLANCO
 -) RIVER AUTHORITY, INCLUDING THE LEVY
 -) OF A TAX THEREUNDER FOR THE DEBT
 -) SERVICE REQUIREMENTS OF THE
 -) GUADALUPE-BLANCO RIVER AUTHORITY
 -) LAKE MCQUEENEY DAM AND
 -) HYDROELECTRIC FACILITIES BONDS AND
 -) FOR CHARGES ASSOCIATED WITH THE
 -) GUADALUPE-BLANCO RIVER
 -) AUTHORITY'S OPERATION AND
 -) MAINTENANCE OF THE LAKE
 -) MCQUEENEY DAM AND HYDROELECTRIC
 -) FACILITIES, ALL AS DEFINED AND
 -) PROVIDED IN SAID CONTRACT

LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1

PROPOSITION C

- | | |
|-------------|---|
| () FOR |) AN OPERATION AND MAINTENANCE TAX
) FOR FACILITIES AUTHORIZED BY ARTICLE
) XVI, SECTION 59, OF THE TEXAS
) CONSTITUTION, NOT TO EXCEED FIVE
) CENTS (\$0.05) PER ONE HUNDRED DOLLARS |
| () AGAINST |) (\$100) VALUATION OF TAXABLE PROPERTY |

Each voter shall vote on the propositions by placing an "X" in the square beside the statement indicating the way he or she wishes to vote.

Section 5: In accordance with Texas Election Code, Section 3.009, the District currently estimates that, if the propositions contained herein were approved and the bonds proposed herein were authorized and issued, with a maturity not to exceed 40 years, the District's ad valorem debt service tax rate is projected to be a maximum of approximately \$0.35 per \$100 of assessed valuation. The estimated tax rate is based on current assumptions and projections of interest rates, property development, assessed valuations and tax collection rates. To the extent that such assumptions and projects are not realized, the actual tax rate assessed by the District may vary substantially from the estimated tax rate. The estimated tax rate provided in this Section shall not be considered part of the bond propositions to be submitted to the voters pursuant to this Order and shall not be considered as a limitation on the District's authority to levy, assess and collect an unlimited tax as to rate or amount pursuant to Texas Constitution Article XVI, Section 59.

Section 6: The aggregate amount of the outstanding principal of the District's bonds secured by ad valorem taxes as of the date of this order is \$0.00.

Section 7: The aggregate amount of the outstanding interest on the District's bonds secured by ad valorem taxes as of the date of this order is \$0.00.

Section 8: The debt service tax rate for the District as of the date of this order is \$0.00 per \$100 valuation of taxable property.

Section 9: In addition to any other measures, propositions, or offices to be voted on, the ballots used in the election for the directors shall have the names of five appointed directors and five blank spaces for write-in votes, as follows:

- () David Doughtie
- () John Ewald
- () Lindsey Gillum
- () Paul A. Mueller
- () Robert L. Worth, Jr.

Section 10: A written declaration of a person’s intention to be a write-in candidate on the ballot for the office of director shall be filed at the office of the Secretary of the Board, or their authorized agent, by 5:00 p.m. on August 21, 2020.

Section 11: The District shall use the regular county election precincts for the election.

Section 12: The District will enter into an interlocal agreement with Guadalupe County (the “County”) by which the County will conduct the election and provide other election services on behalf of the District.

Section 13: The Election Officer of the County shall appoint the presiding judge, clerks, and members of the early voting ballot board for the election.

Section 14: Early voting by personal appearance will be conducted at the locations listed during the dates and hours specified on Exhibit B.

Section 15: Applications for ballot by mail shall be mailed to:

Lisa Hayes, Early Voting Clerk
 Guadalupe County Election Office
 215 S. Milam
 Seguin, Texas 78155
 Email: lisa.hayes@co.guadalupe.tx.us

Applications for ballot by mail must be received no later than 5:00 p.m. on October 23, 2020.

Section 16: In the event the elections result favorably for the propositions submitted, (i) the creation of the District shall be confirmed, (ii) the Board shall be elected, (iii) the GBRA Contract shall be approved and the Board of Directors shall be authorized

pursuant to Article XVI, Section 59, of the Texas Constitution to levy, assess and collect an annual ad valorem tax on all taxable property within the District to make certain payments for the debt service requirements of the GBRA Bonds and for charges associated with GBRA's operation and maintenance of the Lake McQueeney Dam and Hydroelectric Facilities, all as defined and provided in the GBRA Contract, (iv) the Board shall be authorized to levy and collect an operation and maintenance tax for facilities authorized by Article XVI, Section 59, of the Texas Constitution not to exceed \$0.05 per \$100 assessed valuation on the terms and conditions described in Proposition C voted in the election.

In the event the elections result against any of the propositions submitted, the Board shall be authorized to act on the terms and conditions of the propositions approved at the elections.

Section 17: The President and Secretary of the Board and the attorneys for the District are authorized and directed to take any action necessary or convenient to carry out the provisions of this order.

Section 18: It is hereby found that the meeting at which this Order has been considered and adopted is open to the public, as required by law, and that written notice of the time, place, and subject matter of said meeting, and of the proposed adoption of this Order, was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, as suspended by the Governor of the State of Texas. The Board further ratifies and confirms said written notice and the contents and posting thereof.

[EXECUTION PAGE FOLLOWS]

ADOPTED AND APPROVED on August 17, 2020.

/s/Robert L. Worth, Jr.
President, Board of Directors

ATTEST:

/s/Lindsey Gillum
Secretary, Board of Directors

(SEAL)



CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

I, the undersigned officer of the Board of Directors of Lake McQueeney Water Control and Improvement District No. 1, hereby certify as follows:

1. The Board of Directors of Lake McQueeney Water Control and Improvement District No. 1 convened in special session on August 17, 2020, inside the boundaries of the District, and the roll was called of the members of the Board:

Mr. Robert L. Worth, Jr.	President
Ms. Lindsey Gillum	Secretary
Mr. David Doughtie	Treasurer
Mr. Paul A. Mueller	Vice President
Mr. John Ewald	Assistant Vice President

and all of said persons were present except Director(s) _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

ORDER CALLING CONFIRMATION ELECTION, DIRECTOR ELECTION, SPECIAL CONTRACT ELECTION, AND OPERATION AND MAINTENANCE TAX ELECTION

was introduced for the consideration of the Board. It was then duly moved and seconded that the order be adopted; and, after due discussion, the motion, carrying with it the adoption of the order, prevailed and carried unanimously.

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; the action approving the order has been duly recorded in the Board's minutes of the meeting; 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 the aforesaid meeting, and that the order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, as suspended by the Governor of the State of Texas.

SIGNED AND SEALED on August 17, 2020.

/s/Lindsey Gillum
Secretary, Board of Directors

(SEAL)



ORDEN PARA CONVOCAR UNA ELECCIÓN DE CONFIRMACIÓN, UNA
ELECCIÓN DE DIRECTORES, UNA ELECCIÓN DE CONTRATO ESPECIAL Y UNA
ELECCIÓN DE IMPUESTO DE OPERACIÓN Y MANTENIMIENTO

EN VISTA DE QUE el Distrito de Control y Mejoras de Agua Nro. 1 de Lake McQueeney (el "Distrito"), ubicado en el Condado de Guadalupe, Texas, fue legalmente creado el 17 de diciembre de 2019 hasta el presente por una orden del Tribunal de Comisionados del Condado de Guadalupe y opera en conformidad con las leyes generales del Estado de Texas correspondientes a los distritos de control y mejoras de agua Texas, en virtud del Capítulo 51 del Código de Agua de Texas, y los directores designados del Distrito se han reunido y organizado, y reúnen los requisitos para desempeñar la función de directores del Distrito mediante declaración jurada, toma de protesta y poniendo la fianza de garantía que exige la ley; y

EN VISTA DE QUE el Distrito fue creado bajo la autoridad de la Sección 59 del Artículo XVI de la Constitución de Texas y los Capítulos 49 y 51 del Código de Agua de Texas, y tiene todos los propósitos y los poderes descritos en ellos; y

EN VISTA DE QUE ahora es necesario convocar una elección en conformidad con la Sección 49.102 del Código de Agua de Texas con el propósito de confirmar la creación y el establecimiento del Distrito y con el propósito de elegir a cinco directores permanentes para este; y

EN VISTA DE QUE en conformidad con las disposiciones de las Leyes de Texas, incluidos los Capítulos 49 y 51 del Código de Agua de Texas, el Capítulo 791 del Código de Gobierno de Texas y el Artículo 820-106 de los VCS, se autoriza al Distrito y a la Autoridad de Guadalupe-Blanco River ("GBRA") a celebrar un Contrato para el Financiamiento y la Operación de la Represa y las Instalaciones Hidroeléctricas de Lake McQueeney (el "Contrato con la GBRA"); y

EN VISTA DE QUE la Junta Directiva del Distrito (la "Junta") desea que los votantes aprueben las disposiciones del Contrato con la GBRA mediante el cual la GBRA se ocupará del diseño, la reparación, el reemplazo, la operación y el mantenimiento de la Represa de Lake McQueeney y las estructuras, instalaciones y mejoras relacionadas a fin de recoger y preservar las aguas dentro de Lake McQueeney, y mediante el cual se autorizará a la GBRA a emitir bonos ("Bonos de la GBRA") en la cantidad máxima de capital de \$40,000,000 a tal fin, con un vencimiento que no exceda de los 40 años, y mediante el cual la GBRA proporcionará al Distrito los ingresos hidroeléctricos brutos derivados de la venta de la electricidad generada en las Instalaciones Hidroeléctricas de Lake McQueeney, y dicho Contrato con la GBRA permanecerá en archivo, tal como lo requiere la Sección 49.108 del Código de Agua de Texas y estará a disposición para inspección del público en la Oficina del Distrito; y

EN VISTA DE QUE dicho Contrato con la GBRA dispone que el Distrito convocará una elección para la aprobación de dicho Contrato con la GBRA y la autorización para imponer, tasar y recaudar impuestos ad valorem sobre toda propiedad gravable dentro del Distrito a fin de hacer ciertos pagos en virtud de este; y

EN VISTA DE QUE la Sección 49.108 del Código de Agua de Texas dispone que un distrito puede hacer pagos en virtud de un contrato, provenientes de impuestos después de que las disposiciones del contrato hayan sido aprobadas por una mayoría de los votantes que voten en una elección celebrada para ese propósito; y

EN VISTA DE QUE la Junta desea que los votantes del Distrito aprueben las disposiciones del Contrato; y

EN VISTA DE QUE la Sección 49.107 del Código de Agua de Texas dispone que el Distrito puede imponer y recaudar un impuesto para propósitos de operación y mantenimiento una vez que dicho impuesto sea aprobado por la mayoría de los votantes que votan en una elección celebrada para ese propósito; y

EN VISTA DE QUE la Junta opina que se debería celebrar una elección con el propósito de presentar una proposición sobre la imposición de un impuesto de operación y mantenimiento para instalaciones autorizadas por la Sección 59 del Artículo XVI de la Constitución de Texas; y

EN VISTA DE QUE la Junta desea proceder con la orden de dichas elecciones; ahora, por lo tanto,

LA JUNTA DIRECTIVA DEL DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY ORDENA QUE:

Sección 1: Por la presente, los asuntos y hechos establecidos en el preámbulo de esta orden son hallados y declarados verdaderos y completos.

Sección 2: Las elecciones se celebrarán el 3 de noviembre de 2020 en los lugares especificados en el Anexo A, en las que se presentarán las preguntas de la confirmación del Distrito, la elección de directores permanentes, la aprobación del Contrato con la GBRA y la imposición de un impuesto de operación y mantenimiento.

Sección 3: Las siguientes proposiciones se presentarán a los votantes residentes del Distrito:

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY
PROPOSICIÓN A

¿SE DEBERÁ CONFIRMAR LA CREACIÓN DEL DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY?

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY
PROPOSICIÓN B

(CONTRATO PARA EL FINANCIAMIENTO Y LA OPERACIÓN DE LA REPRESA Y LAS INSTALACIONES HIDROELÉCTRICAS DE LAKE MCQUEENEY)

¿SE DEBERÁN APROBAR LAS DISPOSICIONES DEL CONTRATO PARA EL FINANCIAMIENTO Y LA OPERACIÓN DE LA REPRESA Y LAS INSTALACIONES HIDROELÉCTRICAS DE LAKE MCQUEENEY CELEBRADO ENTRE EL DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY Y LA AUTORIDAD DE GUADALUPE-BLANCO RIVER (“GBRA”), INCLUIDA, PARTICULARMENTE, LA DISPOSICIÓN QUE REQUIERE LA IMPOSICIÓN POR PARTE DEL DISTRITO DE UN IMPUESTO AD VALOREM SOBRE TODA PROPIEDAD GRAVABLE DENTRO DE DICHO DISTRITO PARA HACER CIERTOS PAGOS EN VIRTUD DE LOS REQUISITOS DEL SERVICIO DE LA DEUDA DE LOS BONOS PARA LA REPRESA Y LAS INSTALACIONES HIDROELÉCTRICAS DE LAKE MCQUEENEY Y LA GBRA, Y PARA CARGOS ASOCIADOS CON LA OPERACIÓN Y EL MANTENIMIENTO DE LA REPRESA Y LAS INSTALACIONES HIDROELÉCTRICAS DE LAKE MCQUEENEY POR PARTE DE LA GBRA, TODO SEGÚN LO DEFINIDO Y DISPUESTO EN DICHO CONTRATO?

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY
PROPOSICIÓN C

(IMPUESTO DE MANTENIMIENTO DE INSTALACIONES DE LA SECCIÓN 59 DEL ARTÍCULO XVI)

¿SE DEBERÁ AUTORIZAR A LA JUNTA DIRECTIVA DEL DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY A IMPONER Y RECAUDAR UN IMPUESTO DE OPERACIÓN Y MANTENIMIENTO (ADICIONAL A CUALQUIER OTRO IMPUESTO DE OPERACIÓN Y MANTENIMIENTO AUTORIZADO POR LOS VOTANTES DE DICHO DISTRITO) QUE NO EXCEDA DE CINCO

CENTAVOS (\$0.05) POR CADA CIEN DÓLARES (\$100) DE TASACIÓN A TODA PROPIEDAD GRAVABLE DENTRO DE DICHO DISTRITO PARA ASEGURAR FONDOS PARA LA OPERACIÓN Y EL MANTENIMIENTO DE TODAS LAS INSTALACIONES DEL DISTRITO AUTORIZADAS POR LA SECCIÓN 59 DEL ARTÍCULO XVI DE LA CONSTITUCIÓN DE TEXAS, INCLUIDOS, ENTRE OTROS, LOS FONDOS PARA LA PLANIFICACIÓN, CONSTRUCCIÓN, ADQUISICIÓN, MANTENIMIENTO, REPARACIÓN Y OPERACIÓN DE TODOS LOS TERRENOS, PLANTAS, TRABAJOS, INSTALACIONES, MEJORAS, APARATOS Y EQUIPOS NECESARIOS DEL DISTRITO Y PARA PAGAR LOS COSTOS RELACIONADOS CON LOS SERVICIOS ADECUADOS, HONORARIOS LEGALES Y DE INGENIERÍA Y GASTOS ADMINISTRATIVOS Y DE ORGANIZACIÓN?

Sección 4: Además de cualquier otra medida, proposición o cargo sometidos a votación, las boletas utilizadas en las elecciones tendrán impreso lo siguiente:

BOLETA OFICIAL DE VOTACIÓN

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY

PROPOSICIÓN A

- () A FAVOR DEL DISTRITO
- () EN CONTRA DEL DISTRITO

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY

PROPOSICIÓN B

- () A FAVOR) LAS DISPOSICIONES DEL CONTRATO ENTRE EL
-) DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1
-) DE LAKE MCQUEENEY Y LA AUTORIDAD DEL RÍO
-) GUADALUPE-BLANCO, INCLUSO LA IMPOSICIÓN DE
-) UN IMPUESTO BAJO EL MISMO PARA LOS REQUISITOS
-) DEL SERVICIO DE LA DEUDA DE BONOS DE LAS
-) INSTALACIONES HIDROELÉCTRICAS Y DE LA PRESA
-) LAKE MCQUEENEY DE LA AUTORIDAD DEL RÍO
-) GUADALUPE-BLANCO Y PARA CARGOS ASOCIADOS
-) CON LA OPERACIÓN Y MANTENIMIENTO DE LAS
-) INSTALACIONES HIDROELÉCTRICAS DE LA PRESA
-) LAKE MCQUEENEY DE LA AUTORIDAD DEL RÍO
-) GUADALUPE-BLANCO, TODO SEGÚN ESTÉ DEFINIDO
- () EN CONTRA) Y DISPUESTO EN DICHO CONTRATO

DISTRITO DE CONTROL Y MEJORAS DE AGUA NRO. 1 DE LAKE MCQUEENEY
PROPOSICIÓN C

- | | | |
|---------------|---|--|
| () A FAVOR |) | UN IMPUESTO DE OPERACIÓN Y MANTENIMIENTO |
| |) | PARA LAS INSTALACIONES AUTORIZADAS POR LA |
| |) | SECCIÓN 59 DEL ARTÍCULO XVI DE LA CONSTITUCIÓN |
| |) | DE TEXAS, QUE NO EXCEDA DE CINCO CENTAVOS |
| |) | (\$0.05) POR CADA CIEN DÓLARES (\$100) DE TASACIÓN |
| () EN CONTRA |) | DE PROPIEDAD GRAVABLE |

Cada votante votará por las proposiciones colocando una "X" en la casilla junto a la declaración que indica cómo él o ella desea votar.

Sección 5: De acuerdo con la Sección 3.009 del Código Electoral de Texas, el Distrito actualmente estima que, si se aprueban las proposiciones contenidas en la presente y se autorizan y emiten los bonos propuestos en la presente, con un vencimiento que no exceda de 40 años, se proyecta que la tasa de impuestos ad valorem para el servicio de la deuda del Distrito será aproximadamente de un máximo de \$0.35 por cada \$100 de tasación. La tasa de impuesto estimada se basa en suposiciones actuales y proyecciones de tasas de interés, desarrollo inmobiliario, tasaciones e índices de recaudación de impuestos. En la medida en que tales suposiciones y proyecciones no se cumplan, la tasa real de impuesto determinada por el Distrito puede variar considerablemente de la tasa de impuesto estimada. La tasa de impuesto estimada presentada en esta Sección no será considerada parte de las proposiciones de bonos que serán presentadas ante los votantes en virtud de esta Orden y no serán consideradas como limitación de la potestad del Distrito para imponer, tasar y recaudar un impuesto ilimitado en cuanto a tasa o cantidad en conformidad con la Sección 59 del Artículo XVI de la Constitución de Texas.

Sección 6: La cantidad total de capital pendiente de los bonos del Distrito garantizados por impuestos ad valorem a la fecha de esta orden es de \$0.00.

Sección 7: La cantidad total de interés pendiente de los bonos del Distrito garantizados por impuestos ad valorem a la fecha de esta orden es de \$0.00.

Sección 8: La tasa de impuestos de servicio de la deuda para el Distrito a la fecha de esta orden es de \$0.00 por cada \$100 de tasación de propiedad gravable.

Sección 9: Además de cualquier otra medida, proposición o cargo sometidos a votación, las boletas utilizadas en la elección para la votación de directores tendrán los nombres de cinco directores designados y cinco espacios en blanco para votos por escrito de la siguiente manera:

- () David Doughtie
- () John Ewald
- () Lindsey Gillum
- () Paul A. Mueller
- () Robert L. Worth, Jr.

Sección 10: Una declaración por escrito de la intención de una persona de ser un candidato por escrito en la boleta de votación para el cargo de director deberá presentarse en la oficina de la Secretaria de la Junta, o de su agente autorizado, antes de las 5:00 p.m. del 21 de agosto de 2020.

Sección 11: El Distrito utilizará los precintos electorales regulares del condado para la elección.

Sección 12: El Distrito celebrará un convenio interlocal con el Condado de Guadalupe (el "Condado") que disponga que el Condado estará a cargo de la celebración de la elección y proveerá otros servicios electorales en nombre del Distrito.

Sección 13: El Funcionario Electoral del Condado designará al juez presidente, los funcionarios y los miembros del consejo de boletas de votación anticipada para la elección.

Sección 14: La votación anticipada en persona se llevará a cabo en los lugares indicados durante las fechas y los horarios especificados en el Anexo B.

Sección 15: Las solicitudes de boletas de votación por correo deberán enviarse por correo a:

Lisa Hayes, Early Voting Clerk
 Guadalupe County Election Office
 215 S. Milam
 Seguin, Texas 78155
 Correo electrónico: lisa.hayes@co.guadalupe.tx.us

Las solicitudes de boletas de votación por correo deben recibirse a más tardar el 23 de octubre de 2020 a las 5:00 p.m.

Sección 16: En caso de que los resultados de las elecciones sean a favor de las proposiciones presentadas, (i) se confirmará la creación del Distrito, (ii) se elegirá la Junta; (iii) se aprobará el Contrato con la GBRA y se autorizará a la Junta Directiva a imponer, tasar y recaudar un impuesto ad valorem anual sobre toda propiedad gravable dentro del Distrito a fin de hacer ciertos pagos en virtud de los requisitos del servicio de la deuda de los Bonos de la GBRA y de los cargos asociados a la operación y el mantenimiento de la Represa y las Instalaciones Hidroeléctricas de Lake McQueeney por parte de la GBRA, todo según lo definido y dispuesto en el Contrato con la GBRA, (iv) se autorizará a la Junta a imponer y recaudar un impuesto de operación y mantenimiento para las instalaciones autorizadas por la Sección 59 del Artículo XVI de la Constitución de Texas que no exceda de los \$0.05 por cada \$100 de tasación según los términos y las condiciones descritos en la Proposición C votada en la elección.

En caso de que los resultados de la elección sean en contra de alguna de las proposiciones presentadas, se autorizará a la Junta a obrar según los términos y las condiciones de las proposiciones aprobadas en las elecciones.

Sección 17: Se autoriza e instruye al Presidente y a la Secretaria de la Junta y a los abogados del Distrito a que tomen toda medida necesaria o conveniente para llevar a cabo las disposiciones de esta orden.

Sección 18: Por la presente, se determina que la asamblea en la cual se ha considerado y adoptado esta Orden está abierta al público, según lo exige la ley, y que el aviso escrito que indica la hora, el lugar y el asunto de dicha asamblea, y la adopción propuesta de esta Orden, se dio según lo requerido por el Capítulo 551 del Código del Gobierno de Texas y la Sección 49.063 del Código de Agua de Texas, según la suspensión del Gobernador del Estado de Texas. La Junta además ratifica y confirma dicho aviso escrito, y su contenido y colocación.

[PÁGINA DE FIRMAS A CONTINUACIÓN]

ADOPTADA Y APROBADA el 17 de agosto de 2020.

/s/Robert L. Worth, Jr.
Presidente de la Junta Directiva

ATESTIGUA:

/s/Lindsey Gillum
Secretaria de la Junta Directiva

(SELLO)



CERTIFICADO DE LA ORDEN

EL ESTADO DE TEXAS §
 §
CONDADO DE GUADALUPE §

Por medio del presente, yo, el firmante, funcionario de la Junta Directiva del Distrito de Control y Mejoras de Agua Nro. 1 de Lake McQueeney, certifico lo siguiente:

1. La Junta Directiva del Distrito de Control y Mejoras de Agua Nro. 1 de Lake McQueeney se reunió en una sesión extraordinaria el 17 de agosto de 2020, dentro de los límites del Distrito, y se tomó lista de los miembros de la Junta:

Sr. Robert L. Worth, Jr.	Presidente
Sra. Lindsey Gillum	Secretaria
Sr. David Doughtie	Tesorero
Sr. Paul A. Mueller	Vicepresidente
Sr. John Ewald	Vicepresidente Asistente

y todas las personas mencionadas estuvieron presentes, salvo el(los) Director(es) _____, constituyendo así un quórum. Con lo cual, entre otros asuntos, se tramitó lo siguiente en la asamblea: se presentó por escrito una

ORDEN PARA CONVOCAR UNA ELECCIÓN DE CONFIRMACIÓN, UNA ELECCIÓN DE DIRECTORES, UNA ELECCIÓN DE CONTRATO ESPECIAL Y UNA ELECCIÓN DE IMPUESTO DE OPERACIÓN Y MANTENIMIENTO

para consideración de la Junta. Fue entonces debidamente presentado y secundado que se adoptara la orden; y, después del debate correspondiente, la moción que proponía la adopción de la orden prevaleció y fue aceptada unánimemente.

2. Una copia verdadera, correcta y completa de la antedicha orden adoptada en la asamblea descrita en el párrafo anterior y precedente se incluye a continuación de este certificado; la medida que aprobó la orden se registró debidamente en las actas de la asamblea de la Junta; las personas nombradas en el párrafo anterior y precedente son los funcionarios y miembros de la Junta habilitados, en ejercicio y debidamente seleccionados, según lo indicado en el presente; se informó por anticipado y en persona, en forma debida, suficiente y oficial a cada uno de los funcionarios y miembros de la Junta, la hora, el lugar y el propósito de dicha asamblea, y que la orden se presentaría y consideraría para adopción en la asamblea, y cada uno de los funcionarios y miembros consintió, por anticipado, a la celebración de la asamblea para dicho propósito; la asamblea estuvo abierta al público según lo exige la ley; y se dio aviso público de la hora, el lugar y el asunto de la asamblea según lo requerido por el Capítulo 551 del Código de Gobierno de Texas y la Sección 49.063 del Código de Agua de Texas, según la suspensión del Gobernador del Estado de Texas.

FIRMADO y VERIFICADO el 17 de agosto de 2020.

(SELLO)



/s/Lindsey Gillum

Secretaria de la Junta Directiva

November 3, 2020
GENERAL ELECTION
Election Day Polling Locations
Polls Open from 7:00 a.m. to 7:00 p.m.

EXHIBIT A

Guadalupe County will be using Vote Centers for the November 3, 2020 Elections.
Any Guadalupe County registered voter can vote at any Guadalupe County Election Day Location,
regardless of the precinct in which they reside.

VC #1	McQueeney Lions Club , 3211 FM 78, McQueeney
VC #2	Vogel Elementary School, 16121 FM 725, Seguin
VC #3	Seguin ISD Admin Bldg., 1221 E. Kingsbury, Seguin (previously Remarkable Healthcare)
VC #4	Forest Hills Baptist Church, 8251 FM 1117, Seguin
VC #5	Justice of the Peace Court, Pct 1, 2405 E. US Hwy 90, Seguin
VC #6	Kingsbury United Methodist Church, 7035 FM 2438, Kingsbury
VC #7	Staples Baptist Church, 10020 FM 621, Staples
VC #8	Maranatha Fellowship Hall, 2356 S. Hwy. 80, Luling
VC #9	TLU Alumni Student Center, Conference Rooms A/B, 1109 University St., Seguin (previously Jackson Park Student Activity Center @ TLU)
VC #10	Grace Church, 3240 FM 725, New Braunfels
VC #11	McQueeney VFW Post 9213, 275 Gallagher, McQueeney
VC #12	Columbus Club of Seguin, 1015 S. Austin Street, Seguin
VC #13	Our Lady of Guadalupe Church Annex, 730 N. Guadalupe St. Seguin
VC #14	Westside Baptist Church, 1208 N. Vaughan St., Seguin
VC #15	American Legion Hall, 618 E. Kingsbury, Seguin
VC #16	Geronimo Community Center, 280 Navarro Dr, Geronimo
VC #17	St. Joseph's Mission , 5093 Redwood Rd., San Marcos
VC #18	The Silver Center, 510 E. Court St., Seguin
VC #19	Central Texas Technology Center, 2189 FM 758, New Braunfels
VC #20	The Cross Church, 814 N. Bauer, Seguin
VC #21	Santa Clara City Hall, 1653 N. Santa Clara Rd., Santa Clara
VC #22	Marion Dolford Learning Center, 200 W. Schlather Lane, Cibolo
VC #23	Schertz Elections Office, 1101 Elbel Rd., Schertz
VC #24	Schertz United Methodist Church, 3460 Roy Richard Dr., Schertz
VC #25	Selma City Hall, 9375 Corporate Dr., Selma
VC #26	Crosspoint Fellowship Church, 2600 Roy Richard Drive, Schertz
VC #27	Immaculate Conception Catholic Church, 212 N. Barnett St., Marion
VC #28	Schertz Community Center, 1400 Schertz Parkway, Schertz
VC #29	Guadalupe County Services Center, 1052 FM 78, Schertz
VC #30	Schertz Community Center North, 3501 Morning Dr., Cibolo
VC #31	St. John's Lutheran Church, 606 S. Center St., Marion
VC #32	New Berlin City Hall, 9180 FM 775, New Berlin
VC #33	NBISD Transportation Bldg, 2621 Klein Road, New Braunfels (previously Klein Road Elementary School)
VC #34	Cibolo Fire Station #2, 3864 Cibolo Valley Drive, Cibolo
VC #35	Living Waters Worship Center, 3325 N. State Hwy 46, Seguin

**3 de noviembre de 2020
ELECCIÓN GENERAL**

ANEXO A

**Lugares de votación del Día de Elección
Las casillas electorales abrirán de 7:00 a.m. a 7:00 p.m.**

El Condado de Guadalupe usará Centros de Votación para las elecciones del 3 de noviembre del 2020. Cualquier votante registrado del Condado de Guadalupe puede votar en cualquier lugar el Día de Elección del Condado de Guadalupe, sin importar en cuál precinto resida.

VC #1	McQueeney Lions Club , 3211 FM 78, McQueeney
VC #2	Vogel Elementary School, 16121 FM 725, Seguin
VC #3	Seguin ISD Admin Bldg., 1221 E. Kingsbury, Seguin (Previamente Remarkable Healthcare)
VC #4	Forest Hills Baptist Church, 8251 FM 1117, Seguin
VC #5	Justice of the Peace Court, Pct 1, 2405 E. US Hwy 90, Seguin
VC #6	Kingsbury United Methodist Church, 7035 FM 2438, Kingsbury
VC #7	Staples Baptist Church, 10020 FM 621, Staples
VC #8	Maranatha Fellowship Hall, 2356 S. Hwy. 80, Luling
VC #9	TLU Alumni Student Center, Conference Rooms A/B, 1109 University St., Seguin (Previamente Jackson Park Student Activity Center @ TLU)
VC #10	Grace Church, 3240 FM 725, New Braunfels
VC #11	McQueeney VFW Post 9213, 275 Gallagher, McQueeney
VC #12	Columbus Club of Seguin, 1015 S. Austin Street, Seguin
VC #13	Our Lady of Guadalupe Church Annex, 730 N. Guadalupe St. Seguin
VC #14	Westside Baptist Church, 1208 N. Vaughan St., Seguin
VC #15	American Legion Hall, 618 E. Kingsbury, Seguin
VC #16	Geronimo Community Center, 280 Navajo Dr, Geronimo
VC #17	St. Joseph's Mission , 5093 Redwood Rd., San Marcos
VC #18	The Silver Center, 510 E. Court St., Seguin
VC #19	Central Texas Technology Center, 2189 FM 758, New Braunfels
VC #20	The Cross Church, 814 N. Bauer, Seguin
VC #21	Santa Clara City Hall, 1653 N. Santa Clara Rd., Santa Clara
VC #22	Marion Dolford Learning Center, 200 W. Schlather Lane, Cibolo
VC #23	Schertz Elections Office, 1101 Elbel Rd., Schertz
VC #24	Schertz United Methodist Church, 3460 Roy Richard Dr., Schertz
VC #25	Selma City Hall, 9375 Corporate Dr., Selma
VC #26	Crosspoint Fellowship Church, 2600 Roy Richard Drive, Schertz
VC #27	Immaculate Conception Catholic Church, 212 N. Barnett St., Marion
VC #28	Schertz Community Center, 1400 Schertz Parkway, Schertz
VC #29	Guadalupe County Services Center, 1052 FM 78, Schertz
VC #30	Schertz Community Center North, 3501 Morning Dr., Cibolo
VC #31	St. John's Lutheran Church, 606 S. Center St., Marion
VC #32	New Berlin City Hall, 9180 FM 775, New Berlin
VC #33	NBISD Transportation Bldg, 2621 Klein Road, New Braunfels (Previamente Klein Road Elementary School)
VC #34	Cibolo Fire Station #2, 3864 Cibolo Valley Drive, Cibolo
VC #35	Living Waters Worship Center, 3325 N. State Hwy 46, Seguin

**NOVEMBER 3, 2020
(3 DE NOVIEMBRE, 2020)**

**GENERAL ELECTION
(ELECCION GENERAL)**

Early Voting Dates and Hours (EXHIBIT B)
(Fechas y Horarios de Votación Anticipada) (ANEXO B)

Tuesday, October 13th through Friday, October 16th, 20208:00 a.m. to 5:00 p.m.
Martes, 13 de Octubre de 2020 hasta el Viernes, 16 de Octubre de 2020.....8:00 de la mañana a las 5:00 de la tarde

Saturday, October 17th, 2020.....7:00 a.m. to 7:00 p.m.
Sabado, 17 de Octubre de 2020.....7:00 de la tarde a las 7:00 de la tarde

Sunday, October 18th, 2020.....1:00 p.m. to 6:00 p.m.
Domingo, 18 de Octubre de 2020.....1:00 de la tarde a las 6:00 de la tarde

Monday, October 19th through Saturday, October 24th, 2020.....7:00 a.m. to 7:00 p.m.
Lunes, 19 de Octubre de 2020 hasta el Sabado, 24 de Octubre de 2020.....7:00 de la mañana a las 7:00 de la tarde

Sunday, October 25th, 2020.....1:00 p.m. to 6:00 p.m.
Domingo, 25 de Octubre de 2020.....1:00 de la tarde a las 6:00 de la tarde

Monday, October 26th through Friday, October 30th, 20207:00 a.m. to 7:00 p.m.
Lunes, 26 de Octubre de 2020 hasta el Viernes, 30 de Octubre de 2020.....7:00 de la mañana a las 7:00 de la tarde

Main Early Voting Polling Location
(Lugar Principal de Votación Anticipada)

SEGUIN ELECTIONS OFFICE
215 S. Milam St., Seguin, TX 78155

Emergency and Limited ballots available only at the main location. *(Boletas limitadas y de emergencia solamente están disponibles en este lugar.)*

Locations of Branch Early Voting Polling Locations
(Lugar de las Sucursales de Votación para la Votación Anticipada)

CIBOLO FIRE STATION #2	3864 Cibolo Valley Dr., Cibolo, TX 78108
CENTRAL TEXAS TECHNOLOGY CENTER	2189 FM 758, New Braunfels, TX 78130
GRACE CHURCH	3240 FM 725, New Braunfels, TX 78130
NEW BERLIN CITY HALL	9180 FM 775, New Berlin, TX
SCHERTZ ELECTIONS OFFICE ANNEX	1101 Elbel Road, Schertz, TX 78154
FORMER SCHERTZ ELECTION OFFICE	1101 Elbel Road, Schertz, TX 78154
SEGUIN ISD ADMINISTRATION BLDG	1221 E. Kingsbury St., Seguin, TX
SELMA CITY HALL	9375 Corporate Drive, Selma, TX

Applications for Ballot by Mail shall be mailed to: *(Las solicitudes para boletas que se votaran adelantada por correo deberan enviarse a:)* Lisa Hayes , Elections Administrator, P. O. Box 1346, Seguin, TX 78156-1346.

Applications for Ballots by Mail must be received no later than the close of business on October 23, 2020.
(Las solicitudes para boletas que se votaran adelantada por correo deberan recibirse para el fin de las horas de negocio el 23 de Octubre 2020.