

**ORDER CALLING A CONFIRMATION ELECTION AND A PERMANENT DIRECTORS  
ELECTION FOR LAJITAS UTILITY DISTRICT NO. 1 AND MAKING PROVISIONS FOR  
CONDUCTING SUCH ELECTION AND OTHER PROVISIONS INCIDENTAL AND  
RELATED THERETO**

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**WHEREAS**, Lajitas Utility District No. 1 (the "District"), was duly created pursuant to House Bill 3804, by special act of the 82<sup>nd</sup> Legislature of the State of Texas, Regular Session, 82<sup>nd</sup> Leg., Ch. 1189, now codified as Chapter 11002, Special District Local Laws Code (the "Act") as a conservation and reclamation district created under and essential to accomplish the purposes of Sections 52 and 52-a, Article III and Section 59, Article XVI of the Texas Constitution; and

**WHEREAS**, the District currently operates pursuant to Chapters 49 and 54, Texas Water Code, as amended; and

**WHEREAS**, the temporary directors of the District appointed by the Act, or their replacements, have met and organized and have qualified to serve as directors of the District by taking the oath and making the bond required by law; and

**WHEREAS**, pursuant to the Act the original boundaries of the District included approximately 2,763 acres; and

**WHEREAS**, it is now necessary to call an election 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

**BE IT ORDERED BY THE BOARD OF DIRECTORS OF LAJITAS UTILITY 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.** A special election shall be held within the District on November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m. at such polling places determined by Brewster County, and such polling places are hereby established and designated as set forth collectively on Exhibit "A" to this Order. Exhibit "A" shall be revised and finalized, if necessary, as directed by the appropriate County Elections Administrator. The Brewster County Elections Administrator is conducting the election pursuant to an Election Agreement between the District and the Brewster County Elections Administrator as authorized under Section 31.092 of the Texas Election Code (the "Election Agreement"). The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and a joint election agreement to be entered into between the District and the other eligible participating entities located in the County which are holding an election on November 7, 2023. Brewster County's election equipment, as applicable and appropriate, shall be used in the election. At the election there shall be submitted the questions of (A) confirmation of the District and (B) the election of permanent directors. The election judges and clerks shall be appointed in accordance with the Election Agreement and Texas Election Code, as amended.

**Section 3.** The following proposition shall be submitted to the resident electors of the District:

**LAJITAS UTILITY DISTRICT NO. 1**  
**PROPOSITION A**

SHALL THE CREATION OF LAJITAS UTILITY DISTRICT NO. 1 BE CONFIRMED?

**Section 4.** Voting in the election for the propositions shall be by the use of electronic or paper ballots which shall show the propositions in both English and Spanish and which shall conform to the requirements of federal law, including the Help America Vote Act, and the Texas Election Code, as amended. The order of the propositions on the ballot shall be in accordance with the Texas Election Code. The ballots used in the election shall contain the following:

**LAJITAS UTILITY DISTRICT NO. 1**  
**PROPOSITION A**

FOR                    ) CONFIRMING CREATION OF LAJITAS UTILITY  
 AGAINST                ) DISTRICT NO. 1.

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.** Voting in the election for the permanent directors of the District shall be by the use of electronic or paper ballots, which shall utilize both English and Spanish and which shall conform to the requirements of federal law, including the Help America Vote Act, and the Texas Election Code, as amended. The ballots used in the election for the permanent directors shall have the names of five temporary directors appointed by the Act, or their replacements as follows:

- Matthew Jones
- George Kutch
- Renee Lorenz
- Brent Ratliff
- H.C. Ross, Jr.

The voter may vote for none, one, two, three, four or five persons for director by placing an "X" in the square beside the person's name. If the District has received an application by a write-in candidate, the ballots shall have blanks after the names of the temporary directors for a voter to write in the name of any write-in candidate. The order of the election of permanent directors shall conform to the Texas Election Code, as amended.

**Section 6.** 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 the early voting clerk.

**Section 7.** The early voting ballot board presiding judge and the alternate presiding judge shall be appointed in accordance with the Election Agreement and the Texas Election Code.

Early voting in the election by personal appearance shall be conducted at the times, dates and polling places as determined by Brewster County, and such polling places are hereby established and designated as set forth collectively in Exhibit "B" to this Order and this exhibit is incorporated by reference for all purposes. Exhibit "B" shall be revised and finalized, if necessary, as directed by the Brewster County Elections Administrator as applicable and appropriate. Lora Nussbaum is the Early Voting Clerk. Applications for ballots by mail for voters in Brewster County should be sent to Brewster County Elections Department, 107 W. Ave. E, #3, Alpine, Texas 79830. Additional contact information for the Early Voting Clerk is provided below for purposes of compliance with Section 83.010 of the Texas Election Code:

Phone Number: (432) 837-6230

Email Address: [election.admin@co.brewster.tx.us](mailto:election.admin@co.brewster.tx.us)

Website: [brewstercountytx.com/vote/](http://brewstercountytx.com/vote/)

**Section 8.** In all respects, the election shall be conducted in accordance with the Texas Election Code and the Federal Help America Vote Act. Every polling place used in Brewster County for this election will have at least one DS200 voting device available for Election Day voting and early voting. The Elections Administrator may use a central counting station as provided by Section 127.000 et seq. as amended, Texas Election Code. Central counting station Presiding Judge and the Alternate Presiding Judge shall be appointed in accordance with each Election Agreement.

**Section 9.** The election shall be held and conducted and returns shall be made to the Board in accordance with state and federal law, including the Help America Vote Act, the Texas Election Code as modified by Chapters 49 and 54, Texas Water Code and the Election Agreement.

**Section 10.** All qualified resident electors of the District shall be entitled to vote in the elections.

**Section 11.** In accordance with Section 4.003(a)(1) of the Texas Election Code, a substantial copy of this Order, appearing in English and Spanish, shall serve as proper notice of said elections, and the President of the Board or other representatives of the District shall cause the notice to be published one time, not earlier than the 30th day or later than the 10th day prior to the date set for the elections, in a newspaper published in the District or, if none is published in the District, in a newspaper of general circulation in the District. In addition, in accordance with Section 4.003(a)(2) of the Texas Election Code, a substantial copy of this Order, appearing in English and Spanish, shall be posted in accordance with the Texas Election Code not later than the 21st day before the elections.

**Section 12.** Immediately after the elections, the officers holding same shall make and deliver returns of the results thereof to the Secretary of the Board, who shall safely keep them and deliver same to the Board, at which the Board shall canvass the returns and declare the results of the elections pursuant to Section 49.101 of the Texas Water Code and Section 67.003 of the Texas Election Code, as amended.

**Section 13.** The President or Vice President and Secretary or Assistant Secretary of the Board are authorized and directed to take any action necessary to carry out the provisions of this Order.

**Section 14.** It is hereby found that the meeting at which this Order has been considered and adopted was 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 Section 49.063, Texas Water Code, as amended. The Board further ratifies and confirms said written notice and the contents and posting thereof.


**Section 15.** Any notices authorized by this Order shall be modified as necessary and appropriate to take into account any future proclamations issued by the Governor impacting the Election.

**PASSED AND APPROVED** this 16<sup>th</sup> day of August 2023.

**LAJITAS UTILITY DISTRICT NO. 1**

By:   
President, Board of Directors

ATTEST:

By:   
Secretary, Board of Directors

**EXHIBIT "A"**  
**ANEXO "A"**

**ELECTION DAY POLLING PLACES**  
***LUGARES DE VOTACIÓN DEL DÍA DE ELECCIÓN***

NOTICE OF SPECIAL ELECTION  
(AVISO DE ELECCION ESPECIAL)

To the registered voters of the County of Brewster, Texas:  
(A los votantes registrados de/ Condado de Brewster, Texas:)

Notice is hereby given that the polling places listed below will be open from 7:00 am to 7:00 pm on November 7, 2023, in Brewster County, Texas for the purpose of voting in a Special Election to "adopt or reject the proposed Constitutional Amendments as submitted by the 88<sup>th</sup> Legislature, Regular Session and a Second Special Session, of the State of Texas."

(Notifíquese, por la presente, que las casillas electoras/es citadas abajo se abrirán desde las 7:00 am hasta las 7:00 pm el 7 de noviembre de 2023, en el Condado de Brewster, Texas con el propósito de votar en una Elección Especial para adoptar o rechazar las enmiendas constitucionales propuestas presentadas por la Legislatura 88th sesión Ordinaria y Segunda Sesión Especial del Estado de Texas.)

On Election Day, voters must vote in their precinct where registered to vote.  
(El Día de Elección, los votantes deberán votar en su precinto donde están inscritos para votar.)

Location of Election Day Polling Places  
Include Name of Building and Address  
(Ubicación de las casillas electorales el Día de Elección)  
(Incluir Nombre del Edificio y Dirección)

Precinct Number(s)  
(Numero de precinto)

Assembly of God Fellowship Hall-Across from Alpine High School 1802 N Hwy 118 Alpine, Texas 79830	Precinct 1
Judge Val Clark Beard Conference Room (Old Library) 203 N 7 <sup>th</sup> St. Alpine, Texas 79830	Precincts 2 & 8
Marathon Community Center, 2 <sup>nd</sup> and Ave E Marathon, Texas 79842	Precinct 3
Alpine Civic Center 801 W Holland Ave Alpine, Texas 79830	Precinct 4
"Red" Pattillo Community Center 201 Rex Ivey Road Terlingua, Texas 79852	Precincts 5, 6 & 7

For early voting, a voter may vote at the location listed below:  
(Para la votación anticipada, una votante puede votar en el lugar que se indica a continuación)

Consolidated Precincts 1-8  
Judge Val Clark Beard Conference Room (Old Library) 203 N 7<sup>th</sup> St. Alpine, Texas 79830  
October 23<sup>rd</sup> - 27<sup>th</sup> & October 30<sup>th</sup> - November 1<sup>st</sup>, 2023, 8:00 AM to 6:00 PM  
November 2<sup>nd</sup> & 3<sup>rd</sup>, 7:00 am - 7:00 pm  
Applications for ballot by mail shall be mailed to:  
(Las solicitudes para ho/etas de votación adelantada por correo deberán enviarse a.)

Lora Nussbaum - Early Voting Clerk  
107 W Ave E #3 (Mailing) 203 N 7<sup>th</sup> St. (Physical)  
Alpine, Texas 79830  
432-837-6230 [election.admin@co.brewster.tx.us](mailto:election.admin@co.brewster.tx.us) County Website: [www.brewstercountytexas.com](http://www.brewstercountytexas.com)

Applications for ballots by mail must be received no later than close of business on October 27, 2023  
(Las solicitudes de boletas por correo deben recibirse a más tardar el cierre del negocio el 27 de octubre de 2023)

Issued this the 12 day of SEPT, 2023

At 1:17 FILED  
Date 9/12/23 o'clock P M

  
Signature of County Judge (Firma de/ Juez de/ Condado)

SARAH VASQUEZ  
County Clerk, Brewster County, TX  
By [Signature] Deputy

**EXHIBIT "B"**  
**ANEXO "B"**

**EARLY VOTING SCHEDULE**  
***HORARIO DE LA VOTACION ADELANTADA***



**ORDER OF SPECIAL ELECTION  
(ORDEN DE ELECCION ESPECIAL)  
November 7, 2023 (7 de Noviembre de 2023)**

An Election is hereby ordered to be held on November 7, 2023, in Brewster County, Texas for the purpose of voting in a Special Election to "adopt or reject the proposed Constitutional Amendments as submitted by the 88<sup>th</sup> Legislature (see Exhibit A) Regular Session and a Second Special Session of the State of Texas."

(Por la presente se ordena que se celebre una elección el 7 de Noviembre de 2023, en el Condado de Brewster, Texas con el propósito de votar en una Elección Especial para adoptar o rechazar las enmiendas constitucionales propuestas presentadas por la Legislatura 88th (ver Anexo A) sesión Ordinaria y Segunda Sesión Especial del Estado de Texas.)

Early Voting by personal appearance will be conducted each weekday at (La Votación adelantada en persona se llevara a cabo de lunes a Viernes en)

Judge Val Clark Beard Conference Room – Old Library, 203 N 7<sup>th</sup> Alpine, Texas 79830

Between the hours of 8:00 AM and 6:00 PM beginning October 23<sup>rd</sup> – November 1, 2023  
Entre las 8:00 AM y las 6:00 PM del 23 de Octubre – 1 de Noviembre de 2023  
November 2nd & 3rd 7:00 am – 7:00 pm  
2 y 3 de noviembre 7:00 am - 7:00 pm

Applications for ballot by mail shall be mailed to:

LORA NUSSBAUM – Early Voting Clerk  
107 W Ave E #3 (Mailing) 203 N 7<sup>th</sup> Street (Physical)  
Alpine, Texas 79830  
432-837-6230  
election.admin@co.brewster.tx.us County Website: www.brewstercountytexas.com


Applications for ballots by mail must be received no later than close of business on October 27, 2023  
(Las solicitudes de boletas por correo deben recibirse a más tardar el cierre del negocio el 27 de octubre de 2023)

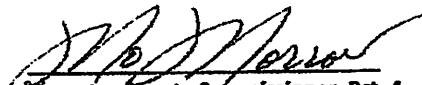
Issued this the 22 day of August, 2023

  
\_\_\_\_\_  
Brewster County Judge

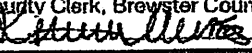
  
\_\_\_\_\_  
Brewster County Commissioner, Pct. 1

  
\_\_\_\_\_  
Brewster County Commissioner, Pct. 2

  
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Brewster County Commissioner, Pct. 3

  
\_\_\_\_\_  
Brewster County Commissioner, Pct. 4

FILED  
At 3 10:04 o'clock A  
Date 8/22/23

SARAH VASQUEZ  
County Clerk, Brewster County, TX  
By  Deputy