

SIGNED AND SEALED the 22nd day of January, 2024.

(SEAL)



Secretary, Board of Directors



ORDER CALLING DIRECTORS ELECTION

WHEREAS, West Harris County Municipal Utility District No. 9 (the "District"), located in Harris County, Texas (the "County"), intends to hold a Directors Election on the first Saturday in May, 2024; and

WHEREAS, the Board of Directors of the District (the "Board") deems it necessary and appropriate to establish the procedures whereby such election may be held.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF THE DISTRICT THAT:

1. Pursuant to Section 49.103 of the Texas Water Code and Section 41.001 of the Election Code, an election shall be held for the District on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m. for the election of two Directors for the District, each of whom shall serve a four-year term. Such election shall be held and conducted in all respects as provided by applicable law.

2. The Secretary/Assistant Secretary of the Board and/or the District's election agent are 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. The Board adopts such form of notice as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board. The boundaries of the District have been established and reported to the County Voter Registrar and shall constitute one election precinct for the election.

3. The Board finds that it may be practicable to hold a joint election pursuant to Section 271.002 of the Texas Election Code and reserves the right to hold such election jointly with the County or other authorized governmental entity. The Board hereby authorizes an Agreement with the County or other authorized governmental entity to conduct a joint election and agrees to pay its pro-rata share of the costs of the joint election. In the event the election is held jointly as described, such election shall be held at a common polling place located either within the District or outside the District, but one which can adequately and conveniently serve voters of the District, pursuant to Section 271.003 of the Texas Election Code. Further, the Board reserves the right to appoint the election officers appointed by the authorized governmental entity as its election officers pursuant to Section 271.005 of the Texas Election Code and to conduct early voting at the location(s) selected by the authorized governmental entity, in which case early voting ballots for voting in such election by mail may be obtained from and mailed to the Early Voting Clerk designated by the authorized governmental entity, and the dates and hours for early voting by personal appearances shall be as required by the Texas Election Code.

4. Written application to have a person's name printed on the ballot as a candidate for the office of director of the District, signed by the candidate, or by at least ten qualified voters of the District, must be received by the District's election agent, Bacon, Wallace & Philbin, L.L.P., by 5:00 p.m. on Friday, February 16, 2024. No person's name shall be placed on the ballot unless they are at least eighteen (18) years of age, are a resident citizen of the State

of Texas, and they own land subject to taxation in the District or they are a qualified voter within the District. No person's name shall be placed on the ballot unless they have filed a loyalty affidavit and statement of awareness of the nepotism law with the District's election agent. No person who is disqualified by the laws of the State of Texas from serving as a director of this District shall have their name placed on the ballot. The District's election agent is authorized to determine whether any candidate for office is qualified. Any person not satisfied with such ruling shall be authorized to appeal the decision to the Board of Directors. Blank applications, loyalty affidavits, other forms, and copies of this Order may be obtained from Bacon, Wallace & Philbin, L.L.P., by calling (713)739-1060.

5. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing to be conducted by the District's election agent. The election agent shall post notice within the District or at the agent's office, at least seventy-two (72) hours prior to the date on which the drawing is to be held, of the time and place of the drawing and shall also give personal notice to all candidates. Each candidate involved in the drawing or a representative designated by the candidate shall have a right to be present and observe the drawing.

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 make a declaration of write-in candidacy and file said declaration with the District's election agent no later than 5:00 p.m. on Tuesday, February 20, 2024.

7. As necessary, the District shall select all election judges and clerks, and the presiding judge shall be in charge of and responsible for the conduct of the election. The District shall employ or use such personnel as it deems necessary to conduct the election and shall pay such personnel for services rendered, pursuant to the Texas Election Code, Sections 87.001-87.025, 87.101 and 87.103, as amended.

8. Early voting in the election by personal appearance shall be conducted from Monday, April 22, through Tuesday, April 30, 2024, from TBD to TBD p.m., except Saturday April 27 and Sunday April 28, 2024, at polling locations selected and noticed to the general public by the District. The main early voting polling location shall be located at TBD. The clerk for early voting shall be Michael Bacon. The early voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is 6363 Woodway Drive, Suite 800, Houston, Texas 77057. The email address to which applications for early voting by mail and ballots to be voted by mail may be sent is info@bwplegal.com. The early voting clerk may be reached at (713) 739-1060. The conditions of early voting under this section are subject to change by lawful orders of State and/or County officials.

9. Applications for Ballots by Mail ("ABBM's") must be received no later than the close of business on Tuesday, April 23, 2024.

10. Federal Post Card Applications ("FPCAs") must be received no later than the close of business on Tuesday, April 23, 2024.

11. In accordance with Section 61.012(b) of the Texas Election Code, the

District will provide at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at the polling place for both early voting and election day voting.

12. The ballots for such election shall be prepared in sufficient number and in conformity with the Texas Election Code, as it may be amended from time to time, and shall be substantially as follows:

[NAME OF DISTRICT]

MAY 4, 2024

OFFICIAL BALLOT

Vote for no more than two candidates of your choice by placing an "X" in the squares beside the candidates' names.

Vote for none, one or two

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

13. In the event the Secretary of the Board certifies that a candidate is unopposed for election to an office, the Board hereby determines that, pursuant to Sections 2.051 through 2.054 of the Election Code, it will declare such unopposed candidate elected to the office without an election. The Board adopts the practice of canceling elections when permitted pursuant to Sections 2.052 through 2.053 of the Election Code as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board.

14. Voting will be conducted by paper ballot and/or an electronic voting system certified by the Texas Secretary of State pursuant to Texas Election Code Sections 122.031-122.039, 122.061, and 122.091, as amended, and duly approved by the United States Justice Department for use in the County. Ballots shall be in English, Spanish, and, if applicable, Vietnamese, and Chinese, and shall have thereon the names of the candidates for the office of director. The Board hereby directs the Secretary or authorized agent to provide in each polling place a voting system, which has been certified by the Texas Secretary of State as complying with the requirement for an accessible voting system. The Secretary may obtain the voting system from any available legal means, including leasing it from the County. Allowance shall be made on the ballot for write-in votes, if any.

15. The Board hereby appoints Michael Bacon of Bacon, Wallace & Philbin, L.L.P. as the Secretary's agent to perform the duties provided by Section 31.123 of the Election Code.

16. The officers of the Board are each authorized to evidence adoption of this Order and directed to do any and all things legal and necessary to hold such election and otherwise to carry out the intent hereof.

17. In case any provision in this Order shall be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

18. A copy of this Order shall be delivered to the County Clerk/Elections Administrator and the Voter Registrar not later than 60 days before election day.

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PASSED, ADOPTED, and EFFECTIVE this the 22nd day of January, 2024.



President, Board of Directors

ATTEST:


Secretary, Board of Directors

(SEAL)

