

NEWPORT MUNICIPAL UTILITY DISTRICT

Order Postponing May 2, 2020 Election to November 3, 2020
Under Governor’s Proclamation Issued March 18, 2020

At a meeting of the board of directors (the “Board”) of Newport Municipal Utility District (the “District”) held on March 30, 2020, at which a quorum of said Board was present, as follows:

Margarette Chasteen, President
DeLonne L. Johnson, Vice President
Deborah Florus, Secretary
Earl B. Boykin, Assistant Secretary
R. Gary Hasse, Director

and the following absent:

None

the following business was transacted:

It was duly moved, seconded and unanimously carried that the order set out below be passed and adopted. The order thus adopted is as follows:

Whereas, a bond election is a special election as defined by Texas Election Code Section 1.005(18);

Whereas, it is required by statute that a special election be held on a uniform election date;

Whereas, by Order dated February 6, 2020 (“Original Order of Election”) the Board ordered a bond election to be held on May 2, 2020 (“Election”);

Whereas, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and declared a state of disaster for all counties in Texas; and

Whereas, pursuant to Section 418.016 of the Texas Government Code, the Governor of Texas has the express authority to suspend the provision of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict

compliance with the provisions, orders, or rules would in any way prevent, hinder or delay necessary action in coping with a natural disaster; and

Whereas, the Governor issued a Proclamation on March 18, 2020 (“Proclamation”) whereby he suspended certain laws to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of the Proclamation; and

Whereas, as the authority that ordered the Election, the District is the authority authorized to make the decision to postpone its election in accordance with the Proclamation; and

Whereas, the Board of the District has determined that it is in the best interest of the public to exercise its authority to postpone its Election.

It is, therefore, ordered by the Board of the District as follows:

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

Section 2: All actions ordered hereunder are ordered in accordance with the Proclamation.

Section 3: The Board hereby exercises the authority granted under the Proclamation and postpones and moves its May 2, 2020 Election to the next Uniform Election date of November 3, 2020.

Section 4: By separate order, the Board will by August 17, 2020 revise as necessary its Original Order of Election to address certain changes to, including but not limited to, the date of the election, the location of the main and early voting polling places, the early voting dates and hours, and the identity, contact information and mailing address of the early voting clerk.

Section 5: The Election shall be held on November 3, 2020. The deadline to register to vote for the November 3, 2020 election is October 5, 2020. Early voting by personal

appearance shall be conducted beginning on October 19, 2020 and ending on October 30, 2020 at the Early Voting polling place(s) during the hours of Early Voting. Applications for ballots by mail shall be mailed to the mailing address of the Early Voting Clerk and must be received no later than the close of business on October 23, 2020. The District may request a contract with Harris County for election services or a joint election agreement.

Section 6: The Board hereby confirms the following:

- A. The District preserves all actions taken previously in connection with the election originally ordered to be held May 2, 2020;
- B. All applications for ballots by mail for voters that are voting by mail due to being over the age of 65 or due to disability are still valid for the November 3, 2020 election; and
- C. All applications for ballots by mail for voters who submitted applications for ballots by mail based on expected absence from the county are not valid for the November 3, 2020 election.

The President of the Board is authorized and directed to execute and post or publish as required by law a notice of said election, and the President or Vice President, Secretary, Assistant Secretary or Secretary Pro Tempore are authorized and directed to do all other things proper and necessary for the consummation of said election.

Passed and adopted on the date first above written.

MARGARETTE CHASTEEN

President

ATTEST:

DEBORAH FLORUS

Secretary



I, the undersigned Secretary of the Board of Directors of Newport Municipal Utility District, hereby certify that the foregoing is a true and correct copy of the Order Postponing May 2, 2020 Election to November 3, 2020 Under Governor's Proclamation Issued March 18, 2020, adopted at said Board's meeting held on March 30, 2020, and excerpts from the minutes of the Board's meeting held on that date showing its adoption, the originals of which order and minutes are on file in the official minute book of the Board, in the District's office.

I further certify that said meeting was open to the public, and that notice was given in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq. as adopted, and as suspended in part by the Governor of Texas on March 16, 2020.

Witness my hand and the seal of said District, this March 30, 2020.

DEBORAH FLORUS

Secretary of the Board of Directors

