

CERTIFICATE FOR ORDER OR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

The undersigned officers of the Board of Directors of River Place Municipal Utility District of Travis County, Texas (the "District") hereby certify as follows:

The Board of Directors of River Place Municipal Utility District convened in **special** session on the 30th day of January 2018, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of the Board, to wit:

Patrick Reilly	President
Arthur Jistel	Vice President
Scott Crosby	Secretary
Lee Wretlind	Treasurer
Claudia Tobias	Assistant Secretary/Treasurer

and all of said persons were present, except for the following absentees: NONE, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting:

ORDER CALLING RATIFICATION AND APPROVAL OF CREATION OF DISTRICT AND OPERATION AND MAINTENANCE TAX ELECTION AND DIRECTORS ELECTION

was introduced for the consideration of the Board. It was then duly moved and seconded that the Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Resolution prevailed and carried by the following vote:

AYES: *ALL PRESENT*
NOES:

That a true, full and correct copy of the aforesaid Order or Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order or Resolution has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein, that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, as amended, and §49.063 of the Texas Water Code, as amended, and that the undersigned are the duly chosen, qualified and acting officers of the current Board of Directors.

SIGNED AND SEALED this 30th day of January 2018



Secretary, Board of Directors



President, Board of Directors

ORDER CALLING RATIFICATION AND APPROVAL OF CREATION OF DISTRICT
AND OPERATION AND MAINTENANCE TAX ELECTION
AND DIRECTORS ELECTION

WHEREAS, River Place Limited District located in Travis County, Texas (the "**Limited District**"), was heretofore duly converted from River Place Municipal Utility District on December 15, 2017, in accordance with the Strategic Partnership Agreement Between the City of Austin and the River Place Municipal Utility District dated September 7, 2009, as amended (the "**SPA**") and Section 43.0751 of the Local Government Code; and

WHEREAS, pursuant to Section 7.04(b) of the SPA it is now necessary to call an election for the purpose of ratifying and approving the Limited District and to secure authorization to levy a operation and maintenance tax; and

WHEREAS, pursuant to the SPA and Section 43.0751 of the Local Government Code the Limited District is authorized to own, maintain, operate, control, and assume responsibility for parkland, open spaces, greenspaces, and other areas owned by the Limited District; to operate, maintain, and control additional security for amenities within the Limited District; to provide solid waste pick-up and disposal within the Limited District; and for any other lawful purposes; and

WHEREAS, the Board of Directors finds and determines that it would be of benefit to the Limited District to levy and collect an operation and maintenance tax to secure funds for operation and maintenance and other authorized purposes of the Limited District; and

WHEREAS, the Board of Directors has concluded that an election should be held for the purpose of (i) ratifying and approving the creation of the Limited District, (ii) authorizing the levy of an operation and maintenance tax within the Limited District, and (iii) electing three (3) Directors of the Limited District; and

WHEREAS, Sections 49.107(c), Texas Water Code and the Texas Election Code, provide that an operation and maintenance tax election may be held on the same day as any other election of the Limited District; and

WHEREAS, the Board desires to submit to the electors within the District, at an election to be held on May 5, 2018, which is a uniform election date established by Section 41.001, Texas Election Code, for and within the District, the proposition hereinafter set forth; and

WHEREAS, the Board finds and declares that the meeting at which this order (the "**Election Order**") is considered is open to the public, and that public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended, and Section 49.063, Texas Water Code, as amended; and

WHEREAS, this Board of Directors wishes to proceed with the ordering of said election.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF RIVER PLACE LIMITED DISTRICT THAT:

Section 1: Findings.

(a) The statements contained in the preamble of this Election Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

(b) The maintenance and operations tax, if approved, shall not exceed \$0.50 per \$100 of taxable value.

Section 2: Election Order; Date; Propositions. An election (the "**Election**") shall be held for and within the District on Saturday, May 5, 2018 ("**Election Day**"), in accordance with the Texas Election Code (the "**Code**"). At the Election, the following propositions (the "**Propositions**") shall be submitted to the qualified voters of the District in accordance with law:

RIVER PLACE LIMITED DISTRICT

PROPOSITION A

SHALL THE CONVERSION OF RIVER PLACE MUNICIPAL UTILITY DISTRICT INTO RIVER PLACE LIMITED DISTRICT, OF TRAVIS COUNTY, TEXAS BE RATIFIED, APPROVED, AND CONFIRMED?

RIVER PLACE LIMITED DISTRICT

PROPOSITION B

SHALL THE BOARD OF DIRECTORS OF RIVER PLACE LIMITED DISTRICT BE AUTHORIZED TO ASSESS, LEVY, AND COLLECT AN ANNUAL OPERATION AND MAINTENANCE TAX OF NOT TO EXCEED FIFTY CENTS (\$0.50) ON EACH \$100 VALUATION OF ALL TAXABLE PROPERTY WITHIN SAID LIMITED DISTRICT IN ACCORDANCE WITH THE STRATEGIC PARTNERSHIP AGREEMENT TO SECURE FUNDS FOR OPERATION AND MAINTENANCE AND OTHER AUTHORIZED PURPOSES, INCLUDING, BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING AND OPERATING ALL NECESSARY LAND, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF SUCH LIMITED DISTRICT, AND FOR THE PAYMENT OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AND WHEREUPON APPROVAL OF THIS PROPOSITION BY THE VOTERS SHALL RESCIND ANY EXISTING OPERATION AND MAINTENANCE TAX OF THE RIVER PLACE MUNICIPAL UTILITY DISTRICT?

Section 3: Official Ballot.

(a) Voting at the Election, and early voting therefore, shall be by the use of the lawfully approved Travis County voting systems and ballots. The official ballots for the Election shall be prepared in accordance with the Code. The official ballots shall be prepared using English and Spanish. Oral assistance in Spanish shall be made available to all persons requiring such assistance.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Proposition which shall be set forth on the ballots substantially in the following form:

RATIFICATION AND APPROVAL OF CREATION OF DISTRICT
AND OPERATION AND MAINTENANCE TAX ELECTION
AND DIRECTORS ELECTION
MAY 5, 2018

RIVER PLACE LIMITED DISTRICT, OF
TRAVIS COUNTY, TEXAS

OFFICIAL BALLOT

INSTRUCTION NOTE: Place an "X" in the square beside the statement indicating the way you wish to vote.

RIVER PLACE LIMITED DISTRICT

PROPOSITION A

SHALL THE CONVERSION OF RIVER PLACE MUNICIPAL UTILITY DISTRICT INTO RIVER PLACE LIMITED DISTRICT, OF TRAVIS COUNTY, TEXAS BE RATIFIED, APPROVED, AND CONFIRMED?

[] FOR

[] AGAINST

RIVER PLACE LIMITED DISTRICT

PROPOSITION B

SHALL THE BOARD OF DIRECTORS OF RIVER PLACE LIMITED DISTRICT BE AUTHORIZED TO ASSESS, LEVY, AND COLLECT AN ANNUAL OPERATION AND MAINTENANCE TAX OF NOT TO EXCEED FIFTY CENTS (\$0.50) ON EACH \$100 VALUATION OF ALL TAXABLE PROPERTY WITHIN SAID LIMITED DISTRICT IN ACCORDANCE WITH THE STRATEGIC PARTNERSHIP AGREEMENT TO SECURE

FUNDS FOR OPERATION AND MAINTENANCE AND OTHER AUTHORIZED PURPOSES, INCLUDING, BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING AND OPERATING ALL NECESSARY LAND, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF SUCH LIMITED DISTRICT, AND FOR THE PAYMENT OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AND WHEREUPON APPROVAL OF THIS PROPOSITION BY THE VOTERS SHALL RESCIND ANY EXISTING OPERATION AND MAINTENANCE TAX OF THE RIVER PLACE MUNICIPAL UTILITY DISTRICT?

[] FOR

[] AGAINST

INSTRUCTION NOTE: Vote for the candidates of your choice by placing an "X" in the square beside the candidates' names.

DIRECTORS

(Vote for none, one, two or three)

- [] Patrick Reilly
- [] Lee Wretlind
- [] Claudia Tobias
- [] ??????????
- [] ???????????

Write-in Candidates:

- [] _____
- [] _____
- [] _____
- [] _____
- [] _____

Section 4: Persons Qualified to Vote. All resident, qualified electors of the District shall be eligible to vote at the Election.

Section 5: Election Precincts, Voting Locations and Voting Hours on Election Day. The present boundaries of the District are hereby established as and shall constitute one election precinct. The Travis County Clerk has determined that on Election Day, all voters are eligible to vote at any designated Election Day polling place within Travis County. The voting locations for voting on Election Day shall be as set forth in Exhibit A, attached hereto and incorporated herein. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 6: Early Voting Locations, Dates and Times. (a) The Travis County Clerk has determined that during the early voting period, all voters are eligible to vote at any designated early voting polling place within Travis County. A list of all early voting polling places in Travis County for the Election is attached hereto as Exhibit B.

(b) Early voting shall take place beginning Monday, April 23, 2018 through Tuesday, May 1, 2018. Hours and days for early voting shall be Monday through Saturday from 7:00 a.m. to 7:00 p.m., and Sundays from Noon to 6:00 p.m. at all early voting locations within Travis County and as shown on Exhibit B. The hours for early voting by personal appearance shall be determined by the Travis County Clerk.

(c) The Travis County Clerk is hereby appointed as the Early Voting Clerk. Applications for ballot by mail shall be sent to:

	Travis County
	Early Voting Clerk
Street Address:	5501 Airport Boulevard
	Austin, Texas 78714-9325
Mailing Address:	PO Box 149325
	Austin, Texas 78714-9325
Email Address	elections@traviscountytexas.gov
Hours:	Monday through Friday 8:00 a.m. to 5:00 p.m.

Section 7: Election Judge and Clerks. The election judges, alternate judges, clerks and other personnel necessary for conducting the Election shall be appointed, and election judges and alternate judges may be changed, in accordance with the Election Services Contract (defined below) and the Code.

Section 8: Election Services Contract. Pursuant to the applicable provisions of the Election Code, including but not limited to Chapter 31 of the Code, the Board hereby approves and authorizes the President, Vice-President, Secretary and/or Assistant Secretary of the District to sign the Election Agreement Between Travis County and River Place Limited District (the "**Election Services Contract**"), substantially in the form presented at the meeting at which this Order was adopted, for any election services and equipment necessary or useful in holding the Election and carrying out the provisions of this Election Order.

Section 9: Joint Election Agreement. Pursuant to the applicable provisions of the Election Code, including but not limited to Chapter 271 of the Code, the Board hereby approves and authorizes the President, Vice-President, Secretary and/or Assistant Secretary of the District to sign the Joint Election Agreement by and between the District, Travis County, and the Travis County Clerk (the "**Joint Election Agreement**"), substantially in the form presented at the meeting at which this Order was adopted. Under the terms of the Joint Election Agreement, the Election will be a joint election with all other entities who have contracted with Travis County and who are participating in the May 5, 2018 Election.

Section 10: Custodian of Records and Agents. To the extent not otherwise provided for in the Election Services Contract with the County, the Board appoints the law firm of McGinnis Lochridge & Kilgore LLP, general counsel to the District, as Custodian of Records (“**Custodian**”) and agent to the Board Secretary to perform the duties related to the conduct and maintenance of records of the election as required under the Code. The Custodian shall maintain an office open for election duties at least three (3) hours each day, during regular office hours, on regular business days during the period required by law. The Custodian shall post notice of the location and hours of the office as required by the Code. The Custodian shall maintain in their offices the documents, records and other items relating to the Election and shall be the persons designated to receive documents on behalf of the District.

Section 11: Drawing to Determine a Place on the Ballot. 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 Secretary or by the Custodian. The Secretary or Custodian shall post notice within the District or at the Custodian’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. Said notice is to be mailed not later than the fourth day before the day of the drawing. Each candidate involved in the drawing or a representative designated by him shall have a right to be present and observe the drawing.

Section 12: Notice of Election. Notice of the Election shall be provided to the County Clerk of Travis County no later than the sixtieth (60th) day before Election Day. Notice of the Election, stating in substance the contents of this Election Order, shall be given by posting a substantial copy of this Election Order, in both English and Spanish, not later than the twenty-first (21st) day before the Election, (i) at the courthouse in the county where the Limited District is located, (ii) on the bulletin board used for posting notices of meetings of the Board, and (iii) on the District’s website.

Section 13: Conduct of Election. The Election shall be held in accordance with the Code, except as modified by the Texas Water Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 14: Cancellation of Directors Election. If the Custodian for the preparation of the ballot should certify in writing to the Board of Directors of the District that the candidates for election to the Board are unopposed for election, the Board shall declare each unopposed candidate elected to office. If this declaration is made, the Directors Election will not be held and this measure shall be removed from the ballot. A copy of the order declaring the candidates elected to office shall be posted on Election Day at the polling places that would have been used in the election.

Section 15: Necessary Actions. The President, Vice President, Secretary and Assistant Secretary of the Board, in consultation with the District’s attorney and bond counsel are hereby authorized and directed to take any and all actions necessary to

comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

PASSED AND APPROVED on the 30th day of January, 2018.

Patrick Reilly
President, Board of Directors
River Place Limited District

ATTEST:

Scott Crosby
Secretary, Board of Directors
River Place Limited District

