Exhibit C
March 6, 1990

Assistant Attorney General
Civil Rights Division
Voting Section
P.O. Box 56128
Washington, D.C. 20035-6128

SUBMISSION UNDER SECTION 5, VOTING RIGHTS ACT

Re: Northwest Austin Municipal Utility District No. 1, of
Travis County, Texas (the "District")

Ladies and Gentlemen:

The undersigned is the President of the Board of Directors of
the District. This submission pursuant to Section 5, Voting Rights
Act of 1965, as amended, is made under the provisions of 28 CFR 51:
Procedures for the Administration of Section 5 of the Voting Rights
Act of 1965.

Background and History.

The District, a municipal utility district, was created on
April 18, 1986, by the Texas Water Commission pursuant to the
provisions of Chapter 54 of the Texas Water Code. The District
provides water, sanitary sewer and storm drainage services to the
area within its boundaries.

The District has made two (2) prior submissions to the
Department of Justice, which is described as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Changes Affecting Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 25, 1986</td>
<td>Creation, polling place, and bilingual election procedures</td>
</tr>
<tr>
<td>March 21, 1988</td>
<td>Polling place</td>
</tr>
</tbody>
</table>

Please refer to said prior submissions for information regarding
previous changes affecting voting within the District.

The District has a population of approximately 129 people,
approximately 86 of whom are of voting age. To the best of my
knowledge, there are less than zero (0) Black families in the
District and less than three (3) families with Spanish surnames,
none of whom would be considered language minorities. Population figures and the percentage of families with Spanish surnames were obtained from the general manager of the District who maintains names and numbers of occupied residences within the District. The percentage of Black families within the District is an estimate made by the general manager.

Changes Affecting Voting.

Polling Place. The District uses one regular polling place in its elections. The past polling place and the proposed new polling place are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Election</th>
<th>Polling Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 7, 1988</td>
<td>Director Election</td>
<td>11408 Boulder Lane, Austin, TX</td>
</tr>
<tr>
<td>May 5, 1990</td>
<td>Director Election</td>
<td>11709 Boulder Lane, Austin, TX</td>
</tr>
</tbody>
</table>

Both of these polling locations are within the boundaries of the District. The distance between the past polling place and proposed polling place is approximately one (1) mile.

The designation of the polling place is made by the Board of Directors. There are no public buildings located within the District. A copy of the Order of the Board calling the May 5, 1990 Director Election is enclosed as Exhibit "A".

The above is/are the only "change(s) affecting voting" as defined in 28 CFR 51.2 relating to the District. The change has not yet been enforced or administered. There is no past or pending litigation concerning the changes or related voting practices.

Clearances Requested.

You are hereby respectfully requested to make an executive determination that denial or abridgement of the right to vote on account of race or color or in contravention of the guarantees set forth in Section 4(f)(2) of P.L. 89-110 as amended by P.L. 94-73 was not the purpose and is not the effect of such changes as they relate to:

(a) The Directors election to be held by the District on May 5, 1990 as required by state law; and

(b) Subsequent elections to be held by the District.

Procedural Matters

In the event that further information would be helpful or for any other reason connected with this request for clearances, please
telephone the District's counsel, Sharlene N. Collins at (512) 499-3604. Correspondence regarding this submission should be sent to the District at the following address: 2600 One American Center, 600 Congress Avenue, Austin, Texas 78701.

Pursuant to 28 CFR 51.34, the District further requests that this submission be given expedited consideration in order that the executive determination requested above be made prior to the May 5, 1990, Director election.

A conference is requested in the event clearance is not anticipated or in the event such conference would be of assistance in the consideration of this request for clearances.

Very truly yours,

NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1

By: Chester Collinsworth President Board of Directors
ORDER CALLING DIRECTOR ELECTION

THE STATE OF TEXAS $ 
$ COUNTY OF TRAVIS $ 

WHEREAS, Northwest Austin Municipal Utility District No. 1 (the "District") has been duly created by order of Texas Water Commission; and

WHEREAS, the establishment and creation of the District has been duly confirmed as the result of a confirmation election held within the District on December 13, 1986, at which election there were elected five (5) permanent directors thereof; and

WHEREAS, in accordance with Section 54.103 of the Texas Water Code, it is also necessary that an election be held within the District for the election of five (5) directors each of whom shall serve a four (4) year term; 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 NORTHWEST AUSTIN MUNICIPAL 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: An election shall be held within the District on the 5th day of May, 1990, between the hours of 7:00 a.m. and 7:00 p.m. at 11709 Boulder Lane Texas, within the District, at which there shall be submitted the question of the election of five (5) directors, three (3) shall serve a four (4) year term and two (2) shall serve a two (2) year term.

Section 3: Voting in said election shall be the use of paper ballots which shall be printed in both English and Spanish and which shall conform to the requirements of the Texas Election Code. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judge or the Alternate Presiding Judge. The ballots used in the election shall have printed thereon the names of all candidates for the office of director who filed applications to have their names
printed on the ballot at least forty-five (45) days prior to the election, and a blank space for each director place for a write-on vote.

Each voter may vote for one candidate for each director place by placing an "X" in the square beside the person's name or writing the name of a person in the blank space provided.

Section 4: The boundaries of the District are hereby designated as and shall constitute one (1) election precinct and the following are hereby appointed officers of said election:

William P. Heisler Presiding Judge
Dolores J. Heisler Alternate Presiding Judge

The presiding judge may appoint, as he deems necessary, clerks to assist in the conduct of the election, not to exceed the maximum number of two (2). Absentee voting in the election by personal appearance shall begin on the 19th day preceding the election. The clerk for absentee voting shall be 11709 Boulder Lane and the place at which absentee voting shall be conducted is 11709 Boulder Lane, Austin, Texas, within the boundaries of the District.

The absentee voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is 11709 Boulder Lane, Austin, Texas. The absentee voting clerk shall keep the absentee voting place open from 1:00 p.m. to 4:00 p.m., on each day for absentee voting which is not a Saturday, a Sunday or an official state holiday.

The Presiding Judge named above shall serve as the presiding judge of the Absentee Ballot Board, the members of which shall be the precinct election officers serving the election precinct as provided in Section 87.004 of the Texas Election Code.

Section 5: The election shall be held and conducted and returns made of this Board of Directors in accordance with the Texas Election Code as modified by Chapter 54, Texas Water Code.

Section 6: All qualified resident electors of the District shall be entitled to vote in the election.

Section 7: The Secretary of the Board is hereby directed to cause notice of this election to be published in both Spanish and English once a week for two (2) consecutive weeks in a newspaper of general circulation in Travis County, Texas with the first publication to be at least fourteen (14) days before the date
of the election. The notice shall be substantially in the form of Notice of Election attached hereto and made a part hereof for all purposes.

PASSED AND APPROVED THE 6th day of March, 1990

(SEAL)

Chester Collinsworth
President
Board of Directors

ATTEST

Ron Patterson, Secretary
Board of Directors

290-138.3
NOTICE OF DIRECTOR ELECTION

Notice is hereby given that Northwest Austin Municipal Utilit District No. 1 (the “District”) will hold an election on May 1, 1990, between the hours of 7:00 a.m. and 7:00 p.m., at 11709 Boulder Lane, Austin, Texas, within the District, for the purpose of electing five (5) directors of the District.

There will appear on the ballots used in the election the names of the candidates for the office of director who have filed applications to have their names printed on the ballot at least forty-five (45) days prior to the election, and a blank space in each director place for a write-in vote.

The polling place will be 11709 Boulder Lane, Austin, Texas. The following named persons have been appointed officers of said election:

William P. Heisler
Dolores J. Heisler
Presiding Judge
Alternate Presiding Judge

The clerk for absentee voting is Emily M. Trant and the place for absentee voting by personal appearance is 11709 Boulder Lane, Austin, Texas. Absentee voting by personal appearance shall occur between the hours of 1:00 p.m. and 4:00 p.m. on each day from April 16, 1990, through May 1, 1990, which is not a Saturday, a Sunday or an official state holiday. The Absentee voting clerk’s mailing address to which ballot applications and ballots to be voted by mail may be sent is 11709 Boulder Lane, Austin, Texas 78726.

The election is being held pursuant to an order adopted by the Board of Directors of the District on March 6, 1990.

AVISO DE ELECCION DE DIRECTORES

Se notifica por el presente que el Distrito Municipal Numero 1 de Servicio Publico Northwest Austin celebrara una eleccion el dia 5 de mayo de 1990, entre las horas de las 7:00 a.m. y las 7:00 p.m., en 11709 Boulder Lane, Austin, Texas, dentro del Distrito, con el proposito de elegir a cinco (5) directores del Distrito.

Aparcercer del las balotas usadas en la eleccion los nombres de los candidatos para el puesto de director que han registrado aplicaciones para que sus nombres sean impresos sobre las balotas no menos de cuarenta y cinco (45) dias antes de la eleccion, y un (1) espacio en blanco para cada lugar por voto por escrito.

La casilla electoral sera 11709 Boulder Lane, Austin, Texas. Las personas que se nombran a continuacion han sido designados-oficiales de dicha eleccion:

William P. Heisler
Dolores J. Heisler
Juez Presidente
Juez Presidente Suplente
El oficial de la votación absentista es Jim Stoddart y el lugar para la votación absentista por comparecencia personal es 11709 Boulder Lane, Austin, Texas. La votación absentista por comparecencia personal podrá realizarse entre las horas de 1:00 p.m. a 4:00 p.m. durante cada día a partir del día 16 de abril de 1990, hasta el día 1 de mayo de 1990, que no sea sábado, domingo o un día feriado oficial estatal. La dirección postal del oficial de la votación absentista a la cual se podrán enviar solicitudes para balotas y balotas a ser votadas por correo es 11709 Boulder Lane, Austin, Texas 78726.

Se está efectuando la elección en cumplimiento a una orden adoptada por la Mesa Directiva del distrito el día 6 de Marzo de 1990.

290-137,3
**AIRBILL**

**SENDER**

From: ARNOLD & BROWN

To: ASSISTANT ATTORNEY GENERAL

**RECIPIENT'S COPY**

CIVIL RIGHTS DIVISION—VOTING SECTION

320 FIRST STREET NORTHWEST

WASHINGTON, D.C. 20530

**PACKAGE TRACKING NUMBER**

1749228935

**COMPANY**

ARS

**STREET ADDRESS**

400 CONGRESS AVE STE 2600

**ZIP REQUEST**

78701

**PAYMENT**

Cash

**SERVICES**

No Special Services

**DELIVERY AND SPECIAL HANDLING**

No Special Handling

**PRIORITY**

No Priority

**HOLD FOR PICK-UP**

No Hold for Pick-Up

**DELIVER WEEKEND**

No Deliver Weekend

**SATURDAY DELIVERY**

No Saturday Delivery

**DESTRUCTION**

No Destruction

**DECLARED VALUE**

No Declared Value

**REMARKS**

No Remarks
June 11, 1990

Sharlene M. Collins, Esq.
Armbrust & Brown
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

Dear Ms. Collins:

This refers to the polling place and absentee voting location changes for Northwest Austin Municipal Utility District No. 1 in Travis County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c. We received your submission on April 10, 1990.

The Attorney General does not interpose any objections to the changes in question. However, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of such changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

John R. Dunne
Assistant Attorney General
Civil Rights Division

By:

Barry H. Weinberg
Acting Chief, Voting Section

c: Public file
Exhibit D
April 4, 1996

Assistant Attorney General
Civil Rights Division
Voting Section
U.S. Department of Justice
320 First Street, N.W., Rm. 816
Washington, D.C. 20534

via FEDERAL EXPRESS

SUBMISSION UNDER SECTION 5, VOTING RIGHTS ACT

Re: Northwest Austin Municipal Utility District No. 1, of
Travis County, Texas (the "District")

Ladies and Gentlemen:

The undersigned is the Attorney for the Board of Directors of
the District. This submission pursuant to Section 5, Voting Rights
Act of 1965, as amended, is made under the provisions of 28 CFR 51:
Procedures for the Administration of Section 5 of the Voting Rights
Act of 1965.

Background and History.

The District, a municipal utility district, was created on
April 18, 1986 by the Texas Water Commission pursuant to the
provisions of Chapter 54 of the Texas Water Code. The District
provides water, sanitary sewer and storm drainage services to the
area within its boundaries.

The District has made three (3) prior submissions to the
Department of Justice, which is described as follows:
Date | Changes Affecting Voting
--- | ---
November 25, 1986 | Creation, Polling Place, and Bilingual Election Procedure
March 21, 1988 | Polling Place
March 6, 1990 | Polling Place

Please refer to said prior submissions for information regarding previous changes affecting voting within the District.

The District has a population of approximately 5,400 people, approximately one-half of whom are of voting age. To the best of my knowledge, there are less than 2.5% Black families in the District and less than 5% families with Spanish surnames, none of whom would be considered language minorities. Population figures and the percentage of families with Spanish surnames were obtained from the general manager of the District who maintains names and numbers of occupied residences within the District. The percentage of Black families within the District is an estimate made by the general manager.

Changes Affecting Voting.

**Polling Place.** The District uses one regular polling place in its elections. The past polling places and the proposed new polling place are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Election</th>
<th>Polling Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 7, 1988</td>
<td>Director Election</td>
<td>11408 Boulder Lane Austin, Texas</td>
</tr>
<tr>
<td>May 5, 1990</td>
<td>Director Election</td>
<td>11709 Boulder Lane Austin, Texas</td>
</tr>
<tr>
<td>May 4, 1996</td>
<td>Director Election</td>
<td>9914 Barbrook Drive Austin, Texas</td>
</tr>
</tbody>
</table>

All of these polling locations are within the boundaries of the District. The distance between the prior polling place and proposed polling place is approximately three quarters of one mile.

The designation of the polling place is made by the Board of Directors. There are no public buildings available located within
the District. A copy of the Order of the Board calling the May 4, 1996 Director Election and Notice of Election are enclosed as Exhibits "A" and "B".

The above are the only "changes affecting voting" as defined in 28 CFR 51.2 relating to the District. The polling place change has not yet been enforced or administered. As stated above, by error the annexation was not submitted for review prior to the 1990 director election. There is no past or pending litigation concerning the changes or related voting practices.

Clearances Requested.

You are hereby respectfully requested to make an executive determination that denial or abridgement of the right to vote on account of race or color or in contravention of the guarantees set forth in Section 4(f)(2) of P.L. 89-110 as amended by P.L. 94-73 was not the purpose and is not the effect of such changes as they relate to:

(a) The directors election to be held by the District on May 4, 1996, as required by state law; and

(b) Subsequent elections to be held by the District.

Procedural Matters.

In the event that further information would be helpful or for any other reason connected with this request for clearances, please telephone the District's counsel, Sharlene N. Collins at (512) 499-3604. Correspondence regarding this submission should be sent to the District at the following address: 2600 One American Center, 600 Congress Avenue, Austin, Texas 78701.

Pursuant to 28 CFR 51.34, the District further requests that this submission be given expedited consideration in order that the executive determination requested above be made prior to the May 4, 1996 director election.
A conference is requested in the event clearance is not anticipated or in the event such conference would be of assistance in the consideration of this request for clearances.

Sincerely,

[Signature]

Sharlene N. Collins
Attorney for the District

Enclosures
CERTIFICATE FOR ORDER

THE STATE OF TEXAS

COUNTY OF TRAVIS

The undersigned officer of the Board of Directors of Northwest Austin Municipal Utility District No. 1 hereby certifies as follows:

1. The Board of Directors of Northwest Austin Municipal Utility District No. 1 convened in regular session on the 20th day of February, 1996, at 2600 One American Center, 600 Congress Avenue, Austin, Texas, and the roll was called of the duly constituted officers and members of the Board, to wit:

Scott Storm - President
Chester Collinsworth - Vice President
Joe E. Ventura - Secretary
Thomas M. Mays - Treasurer
Ronald Hay - Assistant Secretary/Treasurer

and all of said persons were present, thus constituting a quorum. Wheresoever, among other business, the following was transacted at the meeting: an

ORDER CALLING DIRECTOR 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 prevailed and carried by majority of the Board.

2. A true, full and correct copy of the Order adopted at the meeting described in the above paragraph is attached to this certificate; 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 of the Government Code.

EXHIBIT A
SIGNED AND SEALED the 20th day of February, 1996.

(SEAL)

Joe Ventura, Secretary
Board of Directors

THE STATE OF TEXAS $
COUNTY OF TRAVIS $

This instrument was acknowledged before me on February 20, 1996, by Joe Ventura, Secretary of the Board of Directors of Northwest Austin Municipal Utility District No. 1, on behalf of said District.

Notary Public, The State of Texas

[Stamp]

SHARLENE N. COLLINS
NOTARY PUBLIC
State of Texas
Comm. Exp. 02-24-2000
ORDER CALLING DIRECTOR ELECTION

THE STATE OF TEXAS

COUNTY OF TRAVIS

WHEREAS, Northwest Austin Municipal Utility District No. 1 (the "District") has been duly created by order of the Texas Water Commission and the establishment and creation of the District has been confirmed by the voters within the District; and

WHEREAS, in accordance with Section 49.103 of the Texas Water Code, the election of directors is to be held in even numbered years; and

WHEREAS, also in accordance with Section 49.103 of the Texas Water Code, an election is to be held within the District on May 4, 1996, for the election of two (2) directors who shall serve a four (4) year term; and

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

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NORTHWEST MUNICIPAL 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: An election shall be held within the District on the 4th day of May, 1996, between the hours of 7:00 a.m. and 7:00 p.m., at 9914 Barbrook Drive, Austin, Texas, within the boundaries of Northwest Municipal Utility District No. 1, at which there shall be submitted the question of the election of two (2) directors, who shall serve a four (4) year term.

Section 3: Voting in said election shall be by the use of paper ballots which shall be printed in both English and Spanish and which shall conform to the requirements of the Texas Election Code. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judge or the Alternate Presiding Judge. The ballots used in the election shall have printed thereon the names of all candidates for the office of director who filed applications to have their names printed on the ballot at least forty-five (45) days prior to the election, and one (1) blank space for write-in vote for any candidate for the office of director who has filed a declaration of write-in candidacy at least forty-five (45) days prior to the election.
Each voter may vote for none, one or two persons for director by placing an "X" in the square beside the person's or persons' names or by writing the name or names of a person or persons in the blank spaces provided.

Section 4: The boundaries of the District are hereby designated as and shall constitute one (1) election precinct and the following are hereby appointed officers of said election:

Donna Lovejoy  Presiding Judge
Craig Lovejoy  Alternate Presiding Judge

The Presiding Judge may appoint, as he deems necessary, clerks to assist in the conduct of the election, not to exceed the maximum number of two (2). Early voting in the election by personal appearance shall begin on April 15, 1996 and shall continue through April 30, 1996. The clerk for early voting shall be Donna Lovejoy and the place at which early voting shall be conducted is 9914 Barbrook Drive, Austin, Texas.

The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is 9914 Barbrook Drive, Austin, Texas 78726. The Early Voting Clerk shall keep the early voting place open from 3:00 p.m. to 6:00 p.m. on each day for early voting which is not a Saturday, a Sunday or an official state holiday, and on election day, May 4, 1996 from 7:00 a.m. to 7:00 p.m.

The Presiding Judge named above shall serve as the presiding judge of the Early Ballot Board, the members of which shall be the precinct election officers serving the election precinct as provided in Section 87.004 of the Texas Election Code.

Section 5: The election shall be held and conducted and returns made of this Board of Directors in accordance with the Texas Election Code, as modified by Chapter 49 of the Texas Water Code.

Section 6: All qualified resident electors of the District shall be entitled to vote in the election.

Section 7: The Secretary of the Board is hereby directed to cause notice of this election to be published or posted in both Spanish and English in accordance with the requirements of the
Texas Election Code. The notice shall be substantially in the form of Notice of Director Election attached hereto and made a part hereof for all purposes.

PASSED AND APPROVED this 26th day of February, 1996.

NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1

By: [Signature]
Scott Storm, President
Board of Directors

(SEAL)

ATTEST:

[Signature]
Joe E. Ventura, Secretary
Board of Directors
NOTICE OF DIRECTOR ELECTION

Notice is hereby given that Northwest Austin Municipal Utility District No. 1 (the "District") will hold an election on May 4, 1996, between the hours of 7:00 a.m. and 7:00 p.m., at 9914 Barbrook Drive, Austin, Texas, within the District, for the purpose of electing two (2) directors of the District.

There will appear on the ballots used in the election the names of the candidates for the office of director who have filed applications to have their names printed on the ballot at least forty-five (45) days prior to the election, and one (1) blank space for write-in vote for any candidate for the office of director who has filed a declaration of write-in candidacy at least forty-five (45) days prior to the election.

The polling place will be 9914 Barbrook Drive, Austin, Texas. The following named persons have been appointed officers of said election:

Donna Lovejoy
Craig Lovejoy
Presiding Judge
Alternate Presiding Judge

The clerk for early voting is Donna Lovejoy and the place for early voting by personal appearance is 9914 Barbrook Drive, Austin, Texas. Early voting by personal appearance shall occur between the hours of 9:00 a.m. and 12:00 p.m. on each day from April 15, 1996 through April 30, 1996, which is not a Saturday, a Sunday or an official state holiday. The early voting clerk’s mailing address to which ballot applications and ballots to be voted by mail may be sent is 9914 Barbrook Drive, Austin, Texas 78725.

The election is being held pursuant to an order adopted by the Board of Directors of the District on February 20, 1996.

AVISO DE ELECCION DE DIRECTOR

Se notifica por el presente que el Distrito Municipal Numero 1 de Servicio Publico Northwest Austin (el "Distrito") se va a tener una eleccion el dia 4 de mayo de 1996, entre las horas de las 7:00 a.m. y las 7:00 p.m., en 9914 Barbrook Drive, Austin, Texas, dentro del Distrito, por el proposito de elegir a dos (2) directores del Distrito.

Apareceran en las papeletas que se utiliza usadas en la eleccion los nombres de los candidatos para el puesto de director que han registrado aplicaciones para que sus nombres sean impresos sobre las papeletas no menos de cuarenta y cinco (45) dias antes de

EXHIBIT B
la elección, y un (1) espacio en blanco para votos de escrito por cualquier candidato para el puesto de director quien ha archivado una declaración de candidato escrito por lo menos cuarenta y cinco (45) días antes del elección.

El lugar donde se hace la votación será 9914 Barbrook Drive, Austin, Texas. Las personas que se nombran a continuación han sido designados oficiales de dicha elección:

Donna Lovejoy  Juez Presidente
Craig Lovejoy  Juez Presidente Suplente

El oficial de la votación temprano es Rosalyn Peterson y Carrie Montoya, y el lugar para la votación temprano por comparecencia personal es 9914 Barbrook Drive, Austin, Texas. La votación temprano por comparecencia personal podrá realizarse entre las horas de 9:00 a.m. a 12:00 p.m. durante cada día a partir del día 15 de abril de 1996, hasta el día 30 de abril de 1996, lo cual no es sabado, domingo o un día feriado oficial estatal. La dirección postal del oficial de la votación temprano a la cual se podrán enviar solicitudes para papeletas y papeletas por correo es 9914 Barbrook Drive, Austin, Texas 78726.

Se esta efectuando la elección en cumplimiento a una orden adoptada por la Mesa Directiva del Distrito el día 20 de febrero de 1996.
Exhibit E
Memorandum of Telephonic Communication

Date: 5/30/96      Attorney/Analyst: D. Shorago File No.: 96-1732
Other Party: Sharlene Collins Race: Tel. No.: 512-499-3604
Title/Organization: Counsel/Northwest Austin MUD #1
Jurisdiction: Northwest Austin MUD #1
Subject: mention of annexation in submission letter

the mention of an annexation on page three of the submission is a typo and should not have been included
Exhibit F
June 3, 1996

Sharlene N. Collins, Esq.
Strasburger & Price
2600 One American Center
600 Congress Avenue
Austin, Texas 78701-3288

Dear Ms. Collins:

This refers to the polling place change for Northwest Austin Municipal Utility District No. 1 in Travis County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on April 5, 1996.

The Attorney General does not interpose any objection to the specified change. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

By:

Elizabeth Johnson
Acting Chief, Voting Section

cc: Public File
Exhibit G
June 6, 1996

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Chief, Civil Rights Division
Voting Section
U.S. Department of Justice
P.O. Box 66128
Washington, D.C. 20035-6128

Submission Under Section 5, Voting Rights Act

Re: Northwest Austin Municipal Utility District No. 1, of Travis County, Texas
(the "District")

Ladies and Gentlemen:

The undersigned is the Attorney for the District's Board of Directors. The District makes this submission under the Voting Rights Act of 1965, Section 5, as amended, and Title 28 CFR 51: Procedures for the Administration of Section 5 of the Voting Rights Act of 1965 as amended. Before the election, the District contacted the Texas Secretary of State's office and determined that the changes addressed in this submission had been submitted for preclearance by the Texas Secretary of State shortly after each change had been enacted by the Legislature. The District discussed the changes stated in this submission with the Department of Justice's staff recently. Based upon that conversation, the District determined that it erred in assuming that preclearance was not needed because the Secretary of State submitted the changes. We now understand that the District needed to make a separate submission. Consequently, the District makes this submission and apologizes for any inconvenience its mistake may have caused.
Background and History.

The District is a municipal utility district and was created on April 18, 1986 by the Texas Water Commission under the provisions of Chapter 54 of the Texas Water Code. The District provides water, sanitary sewer and storm drainage services to the area within its boundaries.

The District has made four (4) prior submissions to the Department of Justice that are described as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Changes Affecting Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 25, 1986</td>
<td>Creation, Polling Place, Bilingual Election Procedure</td>
</tr>
<tr>
<td>March 21, 1988</td>
<td>Polling Place</td>
</tr>
<tr>
<td>March 6, 1990</td>
<td>Polling Place</td>
</tr>
<tr>
<td>April 4, 1996</td>
<td>Polling Place</td>
</tr>
</tbody>
</table>

Please refer to the prior submissions for information regarding previous changes affecting voting within the District.

The District has a population of approximately 5,400 people, approximately one-half of whom are of voting age. To the best of my knowledge, there are less than 2.5% Black families in the District and less than 5% families with Spanish surnames, none of whom would be considered language minorities. Population figures and the percentage of families with Spanish surnames were obtained from the general manager of the District who maintains names and numbers of occupied residences within the District. The percentage of Black families within the District is an estimate made by the general manager.

Changes Affecting Voting

Notice Requirements for Election

Formerly, the Texas Water Code §54.122 required the District to publish notice of the election once per week for two consecutive weeks beginning no later than 14 days before the election. However, in 1995, the Texas Legislature repealed Texas Water Code §54.122. The District is now governed by the Texas Election Code §4.003 for election notices. The District must publish notice once in a newspaper of general circulation within the District, post the notice at a public place in the District, or mail
the notice to each registered voter in the District. The notice must also be posted on
the bulletin board used for posting notices of District meetings. Texas Election Code
§4.003 is attached as Exhibit "A". The District adopted the Order Calling May 4, 1996
Director Election and elected to post notice of the election. A copy of the Order is
attached as Exhibit "B".

Cancellation of Election

In 1995, the Texas Legislature adopted Texas Election Code §§2.051-2.054; which
authorized the District to cancel an election when the candidate for each position is
unopposed. Texas Election Code §§2.051-2.054 are attached as Exhibit "C". Before
Texas Election Code §§2.051-2.054 were adopted, the law required the District to hold
the election even though the candidates were unopposed. Pursuant to the new law, the
District cancelled the May 4, 1996, Director Election. A copy of the Order Declaring
Election of Unopposed Candidates and Canceling May 4, 1996 Director Election is
attached as Exhibit "D".

The above are the only "changes affecting voting" as defined in 28 CFR 51.2 relating
to the District. There is no past or pending litigation concerning the changes or related voting
practices.

Clearance Requested.

The District respectfully requests that you make an executive determination that denial
or abridgement of the right to vote on account of race or color or in contravention of the
guarantees set forth in Section 4(6)(2) of P.L. 89-110 as amended by P.L. 94-73 was not the
purpose and is not the effect of such changes as they relate to:

(a) The May 4, 1996 director's election cancelled by the District as required by state
law; and

(b) Subsequent elections to be held by the District.
Procedural Matters.

In the event that further information would be helpful or for any other reason connected with this request for clearance, please telephone the District's counsel, Sharlene N. Collins at (512) 499-3604. Correspondence regarding this submission should be sent to the District at the following address: 2600 One American Center, 600 Congress Avenue, Austin, Texas 78701.

Pursuant to 28 CFR 51.34, the District further requests that this submission be given expedited consideration in order that the executive determination requested above be made as soon as possible.

The District requests a conference in the event clearance is not anticipated or in the event a conference would assist in the consideration of this request for clearance.

Sincerely,

STRASBURGER & PRICE, L.L.P.

[Signature]
Sharlene N. Collins
Attorney for the District

Enclosures
ELECTION CODE

Sec. 3.007. Failure to order general election. Failure to order a general election does not affect the validity of the election.

Sec. 3.008. Preservation of election order. (a) The authority ordering an election shall preserve the order, proclamation, or other document ordering the election for the period for preserving the precinct election records.

(b) For an election ordered by an authority of a political subdivision, the date and nature of each election shall be entered in the official records of the political subdivision's governing body. For an election on a measure, the entry must include a description of the measure.

Period for preserving precinct election records, see Sec. 66.053.

CHAPTER 4. NOTICE OF ELECTION

Sec. 4.001. Notice required
Sec. 4.002. Authority responsible for giving notice
Sec. 4.003. Method of giving notice
Sec. 4.004. Contents of notice
Sec. 4.005. Record of notice
Sec. 4.006. Failure to give notice of general election
Sec. 4.007. Notice to election judge

Sec. 4.001. Notice required. Notice of each general and special election shall be given as provided by this chapter.

Sec. 4.002. Authority responsible for giving notice. Except as otherwise provided by law, the following authority shall give notice of an election:

(1) the county judge of each county wholly or partly in the territory covered by the election, for an election ordered by the governor;

(2) the presiding officer of the governing body of a political subdivision, for an election ordered by the presiding officer or the governing body; and

(3) the authority ordering the election, for an election ordered by any other authority.

Sec. 4.003. Method of giving notice. (a) Except as provided by Subsection (c), notice of an election must be given by any one or more of the following methods:

(1) by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before election day:

EXHIBIT A
(A) in a newspaper published in the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice; or

(B) in a newspaper of general circulation in the territory if none is published in the jurisdiction of the authority responsible for giving the notice; or

(2) by posting, not later than the 21st day before election day, a copy of the notice at a public place in each election precinct that is in the jurisdiction of the authority responsible for giving the notice; or

(3) by mailing, not later than the 10th day before election day, a copy of the notice to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice.

(b) In addition to any other notice given for an election under Subsection (a), not later than the 21st day before election day, the authority responsible for giving notice of the election shall post a copy of the notice, which must include the location of each polling place, on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. For each precinct that is combined to form a consolidated precinct under Section 42.008, not later than the 10th day before election day, the authority shall also post, at the polling place used in the preceding general election, notice of the precinct's consolidation and the location of the polling place in the consolidated precinct. A notice posted under this subsection must remain posted continuously through election day.

(c) In addition to any other notice given, notice of an election ordered by a commissioners court or by an authority of a city or school district must be given by the method prescribed by Subsection (a)(1).

(d) If other law prescribes the method of giving notice of an election, that law supersedes this section, except that Subsection (c) applies regardless of the notice requirements prescribed by other law with respect to an election covered by that subsection.

(e) The authority responsible for giving notice of the election shall deliver to the secretary of state a copy of the notice of a consolidated precinct required by Subsection (b) not later than the date of the election.

Newspaper eligible for publication of notices. See Sec. 2051.044, Government Code, for the criteria that a newspaper must satisfy in order to be eligible for publication of official notices.
ELECTION CODE

Sec. 4.004. Contents of notice. (a) The notice of a general or special election must state:

1. the nature and date of the election;
2. except as provided by Subsection (c), the location of each polling place;
3. the hours that the polls will be open; and
4. any other information required by other law.

(b) The notice of a special election must also state each office to be filled or the proposition stating each measure to be voted on. This subsection does not apply to an election on a proposed constitutional amendment.

(c) If notice of an election is given by posting the notice in the various election precincts, the notice posted in a precinct is not required to state the location of the polling places in other precincts.

(d) If precincts are consolidated under Section 42.008, the notice must state which precincts have been combined to form each consolidated precinct in addition to the locations of the polling places in the consolidated precincts.

Notice to include the information listed in note under Sec. 3.006 on contents of election order, see sections cited in the note. However, in special election to fill vacancy, notice not required to include statement of filing deadline or nature of emergency. See note under Sec. 3.006.

Sec. 4.005. Record of notice. (a) If notice of an election is given by publication, the authority responsible for giving the notice shall retain a copy of the published notice that contains the name of the newspaper and the date of publication.

(b) For each notice posted under Section 4.003(a)(2) or (b), the person posting the notice shall make a record at the time of posting stating the date and place of posting. The person shall sign the record and deliver it to the authority responsible for giving the election notice after the last posting is made.

(c) If notice of an election is given under Section 4.003(a)(3), the authority responsible for giving the notice shall:

1. retain a copy of the notice and enter on the copy the date or dates the mailing occurred; and
2. prepare a list of the names and addresses of the persons to whom the notice was mailed.

EXHIBIT A
ORDER CALLING DIRECTOR ELECTION

THE STATE OF TEXAS

COUNTY OF TRAVIS

WHEREAS, Northwest Austin Municipal Utility District No. 1 (the "District") has been duly created by order of the Texas Water Commission and the establishment and creation of the District has been confirmed by the voters within the District; and

WHEREAS, in accordance with Section 49.103 of the Texas Water Code, the election of directors is to be held in even numbered years; and

WHEREAS, also in accordance with Section 49.103 of the Texas Water Code, an election is to be held within the District on May 4, 1996, for the election of two (2) directors who shall serve a four (4) year term; and

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

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NORTHWEST MUNICIPAL 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: An election shall be held within the District on the 4th day of May, 1996, between the hours of 7:00 a.m. and 7:00 p.m., at 9914 Barbrook Drive, Austin, Texas, within the boundaries of Northwest Municipal Utility District No. 1, at which there shall be submitted the question of the election of two (2) directors, who shall serve a four (4) year term.

Section 3: Voting in said election shall be by the use of paper ballots which shall be printed in both English and Spanish and which shall conform to the requirements of the Texas Election Code. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judge or the Alternate Presiding Judge. The ballots used in the election shall have printed thereon the names of all candidates for the office of director who filed applications to have their names printed on the ballot at least forty-five (45) days prior to the election, and one (1) blank space for write-in vote for any candidate for the office of director who has filed a declaration of write-in candidacy at least forty-five (45) days prior to the election.
Each voter may vote for none, one or two persons for director by placing an "X" in the square beside the person's or persons' names or by writing the name or names of a person or persons in the blank spaces provided.

Section 4: The boundaries of the District are hereby designated as and shall constitute one (1) election precinct and the following are hereby appointed officers of said election:

Donna Lovejoy  Presiding Judge
Craig Lovejoy  Alternate Presiding Judge

The Presiding Judge may appoint, as he deems necessary, clerks to assist in the conduct of the election, not to exceed the maximum number of two (2). Early voting in the election by personal appearance shall begin on April 15, 1996 and shall continue through April 30, 1996. The clerk for early voting shall be Donna Lovejoy and the place at which early voting shall be conducted is 9914 Barbrook Drive, Austin, Texas.

The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is 9914 Barbrook Drive, Austin, Texas 78726. The Early Voting Clerk shall keep the early voting place open from 3:00 p.m. to 6:00 p.m. on each day for early voting which is not a Saturday, a Sunday or an official state holiday, and on election day, May 4, 1996 from 7:00 a.m. to 7:00 p.m.

The Presiding Judge named above shall serve as the presiding judge of the Early Ballot Board, the members of which shall be the precinct election officers serving the election precinct as provided in Section 87.004 of the Texas Election Code.

Section 5: The election shall be held and conducted and returns made of this Board of Directors in accordance with the Texas Election Code, as modified by Chapter 49 of the Texas Water Code.

Section 6: All qualified resident electors of the District shall be entitled to vote in the election.

Section 7: The Secretary of the Board is hereby directed to cause notice of this election to be published or posted in both Spanish and English in accordance with the requirements of the
Texas Election Code. The notice shall be substantially in the form
of Notice of Director Election attached hereto and made a part
hereof for all purposes.

PASSED AND APPROVED this 26th day of February, 1996.

NORTHWEST AUSTIN MUNICIPAL UTILITY
DISTRICT NO. 1

By: [Signature]

Scott Storm, President
Board of Directors

(SEAL)

ATTEST:

Joe E. Ventura, Secretary
Board of Directors

EXHIBIT B
Sec. 2.027. ELECTION CODE

runoff election ballot the names of the runoff candidates and shall deliver
the certification to the authority responsible for having the official ballot
prepared.

Sec. 2.028. Tie vote in runoff. (a) If the candidates in a runoff election
tie, they shall cast lots to determine the winner.
(b) The presiding officer of the final canvassing authority shall supervise
the casting of lots under this section.

SUBCHAPTER C. ELECTION OF UNOPPOSED CANDIDATE

Sec. 2.051. Applicability of subchapter. This subchapter applies only
to an election for officers of a political subdivision other than a county in
which write-in votes may be counted only for names appearing on a list of
write-in candidates and in which:
(1) each candidate whose name is to appear on the ballot is unop-
posed; and
(2) no proposition is to appear on the ballot.

Elections using list of write-in candidates, see note under Sec. 146.001.

Sec. 2.052. Certification of unopposed status. (a) The authority re-
sponsible for having the official ballot prepared shall certify in writing that
a candidate is unopposed for election to an office if:
(1) only one candidate's name is to be placed on the ballot for that
office under Section 52.003; and
(2) no candidate's name is to be placed on a list of write-in candidates
for that office under applicable law.
(b) The certification shall be delivered to the governing body of the
political subdivision as soon as possible after the filing deadlines for place-
ment on the ballot and list of write-in candidates.

Authority responsible for having ballot prepared, see Sec. 52.002.
Elections using list of write-in candidates, see note under Sec. 146.001.
Filing deadlines for placement on ballot, see Secs. 143.007, 143.008, 144.005, and 201.054.
Filing deadlines for placement on list of write-in candidates, see Sec. 146.054, Sec. 11.056,
Education Code, and Sec. 49.101, Water Code.

Sec. 2.053. Action on certification. (a) On receipt of the certification,
the governing body of the political subdivision by order or ordinance may
declare each unopposed candidate elected to the office.

EXHIBIT C
ELECTION CODE

Sec. 3.003.

(b) If a declaration is made under Subsection (a), the election is not held. A copy of the order or ordinance shall be posted on election day at each polling place that would have been used in the election.

(c) A certificate of election shall be issued to each candidate in the same manner as provided for a candidate elected at the election.

Certificate of election, see Sec. 67.016.

Sec. 2.054. Coercion against candidacy prohibited. (a) A person commits an offense if by intimidation or by means of coercion the person influences or attempts to influence a person to not file an application for a place on the ballot or a declaration of write-in candidacy in an election that may be subject to this subchapter.

(b) In this section, "coercion" has the meaning assigned by Section 1.07, Penal Code.

(c) An offense under this section is a Class A misdemeanor unless the intimidation or coercion is a threat to commit a felony, in which event it is a felony of the third degree.

Punishment for offenses, see note under Sec. 276.001.

CHAPTER 3. ORDERING ELECTION

Sec. 3.001. Order required
Sec. 3.002. Conflicts with other law
Sec. 3.003. Election ordered by governor
Sec. 3.004. Election of political subdivision
Sec. 3.005. Time for ordering election
Sec. 3.006. Contents of election order
Sec. 3.007. Failure to order general election
Sec. 3.008. Preservation of election order

Sec. 3.001. Order required. Each general and special election shall be ordered as provided by this chapter.

Sec. 3.002. Conflicts with other law. A law outside this chapter supersedes this chapter to the extent of any conflict.

Sec. 3.003. Election ordered by governor. (a) The governor shall order:

(1) each general election for officers of the state government, members of the United States Congress, and electors for president and vice-president of the United States;
NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1

Order Declaring Election of Unopposed Candidates and Canceling May 4, 1996, Director Election

April 9, 1996

STATE OF TEXAS $

COUNTY OF TRAVIS $

Recitals

The Board of Directors ("Board") adopted an Order Calling Director Election on February 20, 1996 ("Election").

The deadline to submit an application for a place on the ballot for the Election was March 20, 1996.

The deadline to submit an application for write-in candidacy for the Election was March 20, 1996.

The Secretary of the Board is the Authority Responsible for having the official Ballots prepared for the Election.

The Secretary of the Board submitted a Certification of Unopposed Status of Candidates for the May 4, 1996, Director Election, attached hereto as Exhibit "A", to the Board on April 9, 1996.

Under Section 2.053 of the Texas Election Code, if the Board receives a Certification of Unopposed Status, it may declare each unopposed candidate elected to office.

Therefore, the Board of Directors of Northwest Austin Municipal Utility District No. 1 orders that:

1. The Certification of Unopposed Status of Candidates for the May 4, 1996 Director Election, submitted on April 9, 1996 is valid.

2. Edward L. Swarthout and Karen Temborius are elected to office as Directors for Northwest Austin Municipal Utility District No. 1 and their terms will begin on May 4, 1996.

3. The May 4, 1996, Director Election is canceled and will not be held.

4. The Secretary of the Board is directed to post a copy of this Order at the polling place on the election day.

EXHIBIT D
5. A certificate of election be issued and delivered to each candidate as required by Section 67.016 of the Election Code.

Passed and approved on April 15, 1996.

[SEAL]

NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1

By: ____________________________
Scott Storm, President

ATTEST:

______________________________
Joe E. Ventura, Secretary
NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1

Certification of Unopposed Status of Candidates
for the May 4, 1996, Director Election

The undersigned, the Secretary of the Board of Directors of Northwest Austin Municipal Utility District No. 1 ("District"), is the authority responsible for having the official ballots prepared for the May 4, 1996, Director Election for the District and certifies that:

1. Two (2) Directors will be elected at the May 4, 1996 Director Election.

2. The deadline for filing a ballot application was March 20, 1996, and there are only two (2) candidates on the ballot.

3. The deadline for write-in candidates was March 20, 1996, and there are no write-in candidates.

4. Edward L. Swarthout and Karen Temborius are the unopposed candidates for election as Directors of Northwest Austin Municipal Utility District No. 1.

[Signature]
Joe E. Ventura, Secretary
Board of Directors

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on 1137, 1996, by Joe E. Ventura, Secretary of the Board of Directors of Northwest Austin Municipal Utility District No. 1 on behalf of said municipal utility district.

[Signature]
Notary Public Signature

(seal)

EXHIBIT D
STRAUSBURGER & PRICE, L.L.P.
2600 ONE AMERICAN CENTER
600 CONGRESS AVENUE
AUSTIN, TEXAS 78701/3288

TO:
CHIEF, CIVIL RIGHTS DIVISION
VOTING SECTION
U.S. DEPARTMENT OF JUSTICE
P.O. BOX 66128
WASHINGTON DC 20035-6128
Exhibit H
Memorandum of Telephonic Communication

Date: 6/27/96  Attorney/Analyst: C. Powers  File No.: 96-2595
                                      96-2593
                                      96-2594

Other Party: Sharlene N. Collins  Race:  Tel. No.: 512 499-3608

Title/Organization: Strasburger & Price

Jurisdiction: TX Northwest Austin MUD #1
                   TX Circle C MUD #1
                   TX Circle C MUD #2

Subject: location of posting places

I contacted Ms. Collins and asked for the location of the election notice posting places for the 3 jurisdictions listed above. She said she would find the information and call me back. She returned my call shortly with the three addresses.
Exhibit I
August 1, 1996

Sharlene N. Collins, Esq.
Strasburger & Price
2600 One American Center
600 Congress Avenue
Austin, Texas 78701-3288

Dear Ms. Collins:

This refers to the general election notice procedures and cancellation of the general election under circumstances specified in Sections 2.051 through 2.053 of the Texas Election Code for Northwest Austin Municipal Utility District No. 1 in Travis County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on June 10, 1996.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

We have reviewed cancellation of the general election as a recurrent practice pursuant to 28 C.F.R. 51.14. Thus, the district need not submit future implementation of this same practice. Only a decision to hold an election under the circumstances specified for cancellation or cancellation of an election under circumstances other than those specified in Sections 2.051 through 2.053 of the Texas Election Code would constitute a voting change subject to Section 5 review.

Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

By:

Elizabeth Johnson
Acting Chief, Voting Section

cc: Public File