

Texas A&M University-Corpus Christi

**College of Liberal Arts
Department of Social Sciences
Social Science Research Center**

Memorandum

Date: May 29, 2018
From: Daniel J. Jorgensen
Professor of Public Administration
Chair, Department of Social Sciences

To: Becky Perrin
Executive Director
Padre Isles Property Owners Association

Re: Certification of the Special Referendum Ballot Results, May 25, 2018.

Pursuant to the Memorandum of Agreement between TEXAS A&M UNIVERSITY-CORPUS CHRISTI, on behalf of its Department of Social Sciences, the College of Liberal Arts and the PADRE ISLES PROPERTY OWNERS ASSOCIATION (PIPOA) please accept this memorandum as the certification of results from the PIPOA's Special Referendum Ballot Result held on May 25, 2018.

Pursuant to directives in the ATTACHMENT A of the agreement, no person who tabulated votes was related to any PIPOA board member or staff member within the third degree by consanguinity or affinity. Additionally, no person who tabulated votes has not and shall not disclose to any other person how an individual property owner voted.

Pursuant to the directives in Attachment B of the agreement:

1. Ballots were opened by tabulation team members upon retrieval from the PO Box or ballot box. Any ballots received by facsimile or email shall be printed. All proxy ballots submitted by ARCH were verified by control number, name and property address.
2. The tabulators identified the name of the property owner submitting the ballot on the Record List provided by the PIPOA using the Control number. If a Control number did not appear on the ballot, the property owner should be confirmed by name and address on the Record List.
3. No ballots were counted unless signed by a property owner on the Record List. In the absence of a Control number. On a few occasions it was necessary for the tabulators to contact the PIPOA office for assistance, but the tabulators did not disclose to any person how an individual has voted.
4. Once a ballot was confirmed to be from a property owner on the Record List, any envelopes or additional materials provided that are not part of the ballot were discarded. Only the ballot itself was retained. For any ballots submitted without the pre-printed

Control number, the Control number for the property was written on the ballot for future reference.

5. The tabulators recorded the total number of votes cast by the ballot, which number could not exceed the number shown on the Record List, in the first space on the Record List beside the property owner's name.
6. The tabulators also recorded the number of votes cast for and against each proposition on the Excel spreadsheet. and insert the names of any write-in candidates and number of votes in the spaces provided. No property owner may vote for more than three persons. For tabulation purposes, a number (such as "1" or "2.5") shall be inserted below each name indicating the number of votes cast rather than just an "X". The names of write-in candidates may be standardized on the Excel spreadsheet. Minor variances in spelling the names shall be disregarded so long as the identity of the write-in candidate is reasonably clear.
7. The tabulators inserted the name of any person identified as a proxy holder on the Excel spreadsheet and the number of votes represented. For tabulation purposes, the same name of the proxy holder shall be used as recorded for other ballots (last name, first name) regardless of how it appears on the ballot.
8. Tabulated ballots are stored in file boxes in order by Control number.
9. Ballots presented at the special meeting on May 25, 2018 were added to the tabulation on the Record List in the same manner as described above. provided above.
10. In the event a new ballot was received from a property owner who previously had voted, the votes on the new ballot were substituted for any existing votes already recorded on the Record List. The word "REPLACEMENT" shall was noted on the ballot and it was stored with the original ballot received in the file boxes.
11. All ballots were signed by at least one person representing the property owner. Properties owned by a husband and wife or two or more owners were recorded with the signature of one of the owners.
12. If a ballot was received from a property owner who previously submitted a ballot naming a proxy holder, the proxy was revoked and the votes cast as shown on the ballot. The proxy holder's name was deleted from the Record List for that property owner.
13. On May 25, 2018, after the last call for ballots was made at the special meeting and any newly submitted ballots added to the tabulation, the tabulators confirmed the accuracy of the Excel spreadsheet by reviewing each ballot and comparing the votes cast to the votes recorded. The ballots were divided among different tabulators to expedite this process.
14. Upon the conclusion of voting, the tabulators ran totals and provides the following report:

The total number of votes present:

The total number of votes cast:

The name of each proxy holder, the number of votes represented, and the number of votes actually cast:

The number of votes received for and against proposition 1:

The number of votes received for and against proposition 2:

15. The boxes storing the ballots shall be boxes shall be sealed and retained by TAMU-CC for six (6) months. Under no circumstances shall TAMU-CC release the Excel spreadsheet showing how individual property owners voted to any person not on the tabulation team.

TOTAL NUMBERS PRESENT AND VOTING

| Ballots Present | Ballots Voted | Proxy given to Ms. Kelly McFadden |
|-----------------|---------------|-----------------------------------|
| 1540.24 | 1495.74 | 28.50 |

16 Ballots received with a signature but no votes recorded are counted in the ballots present

PROPOSITION 1.

- PROVIDING FOR THE FOLLOWING AMENDMENT TO SAID BYLAWS SECTION 7 AS FOLLOWS:
THE LAST SENTENCE OF BYLAW SECTION 7, WHICH NOW STATES: "THESE BYLAWS (SIC) ADDITIONALLY MAY BE AMENDED AT ANY REGULAR OR SPECIAL MEETING OF THE BOARD OF DIRECTORS, AFTER NOTICE OF SUCH MEETING HAS BEEN PROVIDED TO THE MEMBERSHIP IN THE MANNER PROVIDED IN THESE BYLAWS," IS HEREBY DELETED AND STRICKEN AND THE FOLLOWING SENTENCE IS ADDED AS THE LAST SENTENCE OF SECTION 7:
"THE PIPOA BOARD IS HEREBY FORBIDDEN TO AMEND OR REPEAL THIS BYLAW OR TO ADOPT ANY OTHER PIPOA BYLAW TO THE SAME OR SIMILAR EFFECT. THE PIPOA BYLAWS MAY NOT BE AMENDED, REPEALED, ADOPTED, OR OTHERWISE EFFECTED BY THE PIPOA BOARD, ALL SUCH POWER BEING HEREWITH RESERVED UNTO THE VOTING MEMBERS, AND ONLY THE VOTING MEMBERS."

| Yes | No |
|---------|-----|
| 1347.24 | 175 |

Two ballots cast votes voted for proposition 2 but not proposition 1

PROPOSITION 2.

- PROVIDING FOR THE FOLLOWING AMENDMENT TO SAID BYLAWS SECTION 2.03 AS FOLLOWS: THE FIRST SENTENCE OF SAID BYLAWS SECTION 2.03, WHICH NOW STATES: "ANY DIRECTOR MAY BE REMOVED WITH OR WITHOUT CAUSE BY THE UNANIMOUS VOTE OF THE REMAINING MEMBERS OF THE BOARD (EXCLUDING THE DIRECTOR TO BE REMOVED)," IS HEREBY DELETED AND STRICKEN, AND THE FOLLOWING IS SUBSTITUTED: "ANY DIRECTOR MAY BE REMOVED FOR CAUSE BY THE UNANIMOUS VOTE OF THE REMAINING MEMBERS OF THE BOARD (EXCLUDING THE DIRECTOR TO BE REMOVED), THE TERM "CAUSE" BEING HEREBY DEFINED AS THE CONVICTION OF A FELONY OR A MISDEMEANOR INVOLVING MORAL TURPITUDE, OR THE FAILURE TO ATTEND MORE THAN FOUR (4) BOARD MEETINGS, ABSENT ILLNESS OR FORCE MAJEURE. THE PIPOA BOARD IS HEREBY FORBIDDEN TO AMEND OR REPEAL BYLAW OR TO ADOPT ANY OTHER PIPOA BYLAW TO THE SAME OR SIMILAR EFFECT. ALL POWER TO AMEND OR REPEAL THIS BYLAW OR TO ADOPT ANY SIMILAR BYLAW IS HEREWITH RESERVED UNTO THE VOTING MEMBERS, AND ONLY THE VOTING MEMBERS."

| Yes | No |
|---------|--------|
| 1307.66 | 208.58 |

Eight ballots cast votes voted for proposition 1 but not proposition 2