

**Pedernales Electric Cooperative, Inc.**  
**2022 Annual Election Post-Analysis as Required by Election Policy and Procedures (EPP), Section 9.2**

**Board Consideration / Approval**

Item	Description	Policy Impact	Policy/Bylaws	Consideration / Action / Notes
1	Create a date certain for preparing the Membership List to be used for petition signature verification during the annual director election.	Y	EPP 5.1, 6.2.1.5, 7.8	Revise EPP Section 5.1 to include a date specific or certain timeframe on the Membership List that qualifies as the list candidates will use for verification of petitions. List to be issued in the first month of each calendar year.
2	Remove availability of candidate video recording.	Y	EPP 7.5	Remove candidate video recording as optional PEC candidate collateral.

Consider how we send AM notice to members. The cooperative would explore options on the delivery of the annual meeting notice. Examples include: delivery in Texas Co-op Power magazine, notice on billing statement, electronic format, etc.

**STATE STATUTE:**  
 Sec. 161.068. NOTICE OF MEMBERS' MEETING.  
 (a) Written notice of each meeting of the members shall be delivered to each member of record, either personally or by mail, not earlier than the 30th day or later than the 10th day before the date of the meeting. The notice must be delivered by or at the direction of the president, the secretary, or the officers or other persons calling the meeting.  
 (b) The notice must state the time and place of the meeting and, in the case of a special meeting, each purpose for which the meeting is called.  
 (c) A member may waive notice of meetings in writing.  
 (d) A notice that is mailed is considered to be delivered when the notice is deposited in the United States mail in a sealed envelope with postage prepaid addressed to the member at the member's address as it appears on the records of the electric cooperative.

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4	Discontinue use of printed or mailed biograhpy booklets.	Y	EPP 6.2.1.1, 6.2.1.1.6, 6.2.1.3.2, and 7.4.1	<p>Consider using a 1-page printed and mailed ballot with QR code and web address for launching of candidate collateral on-line site. Remove printed booklets from mailing. All biographical information is posted on the cooperative's website.</p> <p>EPP 6.2.1.1. and 6.2.1.1.6 “ PEC will distribute Candidate Biographical Materials/Questionnaire and Candidates’ photographs by email to all PEC Members who receive PEC email notifications.”</p> <p>EPP 6.2.1.3.2.  “PEC shall publicly disclose Qualified Candidate Biographical and Platform Materials, Questionnaire, at the same time and at least 5 days before Voting begins.”</p> <p>EPP 7.4.1 - "After approval of the Ballot, the Governance Team and General Counsel, as designees of the Board Secretary, will direct the Election Service Provider to prepare and print Ballots and accompanying biographical material (“Ballot Materials”) sufficient for distribution to the appropriate PEC Members in the form specified in the Bylaws, including wording sufficient to constitute required notice of the Election, website information, and credentials for electronic voting."</p>

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5	Explore possibility of member opt-out of mailed ballot.	Y	Bylaws, Article II, Section 8 and EPP, Section 7.4	<p>Allow Members to Opt-Out of Mailed Ballot. Opt-out provision would be added to the cooperative's bylaws and election policy and procedures. State statute contemplates in-person and mailed balloting. Mechanism and administrative process needs to be examined for any potential implementation.</p> <p><b>STATE STATUTE:</b>            Sec. 161.069. QUORUM OF MEMBERS. Unless otherwise provided by the articles of incorporation, a quorum for the transaction of business at a meeting of the members of an electric cooperative is a majority of the members present in person or represented by proxy. <i>If voting by mail is provided for in the bylaws, members voting by mail are counted as present for purposes of determining whether a quorum is present.</i></p> <p>Sec. 161.070. VOTING BY MEMBERS. Each member present at a meeting of the members is entitled to one vote on each matter submitted to a vote at the meeting. <i>The bylaws may provide for voting by proxy or by mail.</i></p>

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**Input Provided by Board Candidate(s)**

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6	Consider Format of Biographical Material Mailed to PEC Membership	Y	EPP	Would like to see each candidates' biographical information on the same page - column format. This allows membership to see all candidates on the same page.
7	Campaign Donations Reporting	Y	Bylaws and EPP	Require that all board candidates disclose all campaign donations before, during, and after the election.
8	Provide Additional Voter History List to Board Candidates 1 Week Following the Election	Y	EPP	Allow board candidates to have a copy of the voter history list 1 week after the election. This could allow board candidates a review of who voted and who did not and would assist with future campaigns.

**Staff Recommendation - No Board Approval Required**

Item	Description	Policy Impact	Policy/Bylaws	Consideration / Action / Notes
9	Voting Incentives Program	N	N/A	Remove any and all references to "early" for voting incentives program. Provide an equal incentive throughout the program. Only provide incentive for on-line voting to incent postage savings.