

NOTICE OF ELECTION

TO THE REGISTERED VOTERS OF THE MCMULLEN COUNTY INDEPENDENT SCHOOL DISTRICT:

NOTICE IS HEREBY GIVEN THAT an election will be held within the McMullen County Independent School District, on Tuesday, November 3, 2020, as provided in the Order Calling Bond Election passed by the Board of Trustees of McMullen County Independent School District, a verbatim copy of which Order, as amended, is printed below:

ORDER BY THE BOARD OF TRUSTEES OF MCMULLEN
COUNTY INDEPENDENT SCHOOL DISTRICT CALLING A
BOND ELECTION TO BE HELD WITHIN THE DISTRICT;
MAKING PROVISIONS FOR THE CONDUCT AND THE
GIVING OF NOTICE OF THE ELECTION; AND
CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the Board of Trustees (the “Board”) of McMullen County Independent School District (the “District”) finds that an election should be held to determine whether the Board shall be authorized to issue bonds of the District in the amounts and for the purposes hereinafter set forth; and

WHEREAS, the Board adopted an order on February 5, 2020 (the “May Election Order”) calling for a bond election (the “May Bond Election”) to be held within the District on May 2, 2020; and

WHEREAS, on March 13, 2020, pursuant to the authority vested in the Governor of Texas (the “Governor”) by Section 418.014 of the Texas Government Code, the Governor certified that the novel coronavirus posed an imminent threat of disaster and declared a state of disaster (the “Disaster Declaration”) for all counties in the State of Texas (the “State”); and

WHEREAS, pursuant to the authority vested in the Governor by 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for the 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 disaster; and

WHEREAS, on March 18, 2020, pursuant to the authority vested in the Governor by the Constitution and the Laws of the State, the Governor issued a proclamation (the “Proclamation”) to (i) suspend Sections 41.0052(a) and (b) of the Texas Election Code, and Section 49.103 of the Texas Water Code 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 of November 3, 2020, without otherwise adjusting the term of office for the directors, and (ii) to suspend 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 that postponed its election to November 3, 2020; and

WHEREAS, the Governor further proclaimed in his Proclamation that pursuant to Section 3.004 of the Texas Election Code, a political subdivision has the authority to make the decision to postpone its election until November 3, 2020; and

WHEREAS, State and local health officials have strongly recommended that people avoid mass gatherings and attempt to stay distant to avoid the spread of the virus; and

WHEREAS, in light of the Governor's Disaster Declaration, Proclamation, and Executive Order, the Board has found and determined that it is necessary and in the best interest of the District and its citizens that it postpone the May Bond Election until the next uniform election date of November 3, 2020; and

WHEREAS, the Board finds and determines that it is in the best interest of the District to adopt this order to amend, restate and supplement the May Election Order to call and authorize all actions required to reschedule and hold the May Bond Election to November 3, 2020; and

WHEREAS, the Board finds and determines that all facilities to be acquired, constructed, renovated, improved or equipped pursuant to Proposition A herein will be used predominantly for required classroom instruction and essential administrative operations for faculty and staff; and

WHEREAS, the Board finds and determines that the housing for teachers to be constructed, acquired, improved, or equipped pursuant to Proposition B herein will be necessary to have a sufficient number of teachers for the District; and

WHEREAS, District will enter into an election contract with McMullen County, Texas (the "County"), by and through its County Clerk (the "County Clerk") in accordance with the provisions of Section 271.002, as amended, Texas Election Code, or other applicable law, pursuant to which the County will assist with certain aspects of the Election on the District's behalf; and

WHEREAS, the Board hereby finds, determines and declares that the meeting at which this Order is considered is open to the public, and that the public notice of the time, place, and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended, and the March 16, 2020 action by the Governor of the State of Texas under Section 418.016, Texas Government Code, as amended, suspending certain provisions of the Texas Open Meetings Act;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF MCMULLEN COUNTY INDEPENDENT SCHOOL DISTRICT:

Section 1. Findings. The statements contained in the preamble of this Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Propositions. A bond election (the “Election”) shall be held in the District on Tuesday, November 3, 2020 (“Election Day”), a uniform election date as established by Section 41.001(a) of the Texas Election Code, as amended (the “Code”). At the Election, the following propositions (collectively, the “Propositions”) shall be submitted to the qualified voters of the District in accordance with law:

MCMULLEN COUNTY ISD – PROPOSITION A

Shall the board of trustees of McMullen County Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$14,500,000 for the purpose of acquiring, constructing, renovating, improving and equipping school buildings of the District, the purchase of new school buses, and the purchase of necessary sites for school buildings; and shall there be levied, assessed and collected annually ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on said bonds as the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than 40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

MCMULLEN COUNTY ISD – PROPOSITION B

Shall the board of trustees of McMullen County Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$1,500,000 for the purpose of constructing, acquiring, renovating, improving and equipping housing for teachers as determined by the District to be necessary to have a sufficient number of teachers for the District and for the purchase of necessary sites for housing for teachers; and shall there be levied, assessed and collected annually ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on said bonds as the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than 40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

Section 3. Official Ballot. The official ballots for the Election shall be prepared in accordance with the Code so as to permit the electors to vote “FOR” or “AGAINST” each Proposition which shall be set forth on the ballots substantially in the following form:

MCMULLEN COUNTY ISD – PROPOSITION A

- FOR) “THE ISSUANCE OF \$14,500,000 OF SCHOOL BUILDING BONDS FOR CONSTRUCTING, ACQUIRING, RENOVATING,
- AGAINST) IMPROVING AND EQUIPPING SCHOOL BUILDINGS, THE PURCHASE OF NEW SCHOOL BUSES, AND THE PURCHASE OF NECESSARY SITES FOR SCHOOL BUILDINGS; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

MCMULLEN COUNTY ISD – PROPOSITION B

- FOR) “THE ISSUANCE OF \$1,500,000 OF SCHOOL BUILDING BONDS FOR CONSTRUCTING, ACQUIRING, RENOVATING,
- AGAINST) IMPROVING AND EQUIPPING HOUSING FOR TEACHERS AS DETERMINED BY THE DISTRICT TO BE NECESSARY TO HAVE A SUFFICIENT NUMBER OF TEACHERS FOR THE DISTRICT AND FOR THE PURCHASE OF NECESSARY SITES FOR HOUSING FOR TEACHERS; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

Section 4. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 5. Persons Qualified to Vote. All resident, qualified electors of the District shall be eligible to vote at the Election.

Section 6. Election Precincts, Voting Locations and Voting Hours on Election Day. The election precincts for the Election shall consist of the territory within the boundaries of the District situated within one or more McMullen County election precincts located wholly or partially within the boundaries of the District. The precinct numbers for the District’s election precincts shall correspond with the McMullen County precinct number for each election precinct

wholly or partially within the District. The voting locations for voting on Election Day shall be the county-wide vote center polling locations as set forth in Exhibit A, or at such other locations as hereafter may be designated by the President of the Board or his designee. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

Section 7. Early Voting Locations Dates and Times. (a) Kendra Patton is appointed as the Early Voting Clerk (the “Early Voting Clerk”). The early voting places and the addresses for early voting by mail for the Election are hereby designated as set forth in Exhibit B; provided, however, such locations may be changed if so directed by the President of the Board or his designee. The President of the Board or his designee is hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The Superintendent of District or his designee is hereby authorized to update Exhibit B to reflect the locations designated by the President of the Board or his designee, and such locations are hereby approved. The Early Voting Clerk is hereby authorized to appoint the members of the Early Voting Ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges shall be authorized to approve the necessary election clerks to assist in conducting the Elections.

(b) Early voting by personal appearance shall be conducted on the days and during the hours set forth in Exhibit B, as may be adjusted by the President of the Board or his designee.

(c) Applications for early voting by mail shall be submitted to the Early Voting Clerk at the locations identified in Exhibit B.

(d) Voting times may be changed if so directed by the President of the Board or his designee. The President of the Board or his designee is hereby authorized and directed to make such changes in voting hours as may be necessary for the proper conduct of the Election.

Section 8. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Order, in English and Spanish, one time not earlier than the thirtieth (30th) day nor later than the tenth (10th) day prior to the date set for the Election, in a newspaper published in the District, (ii) posting a copy of this Order, in English and Spanish on the bulletin board used for posting notices of meetings of the Board and in at least three (3) other public places within the boundaries of the District, not later than the twenty-first (21st) day prior to the date set for the Election and (iii) posting a copy of this Order, in English and Spanish, on the District’s website, prominently and together with the notice of the Election and the contents of the Propositions, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Order shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the county clerk of the County and the County voter registrar not later than the 60th day before the Election Day; which notice the County is hereby authorized and directed to post to its website not later than the twenty-first (21st) day prior to the date set for the Election.

Section 9. Conduct of Election. The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, the Texas Government Code, and the

Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 10. District's Outstanding Debt. As of the effective date of this Order, the District's aggregate principal amount of outstanding of tax-supported debt was \$11,333,000.00 and the aggregate amount of outstanding interest on such tax-supported debt was \$836,333.63. The District's total ad valorem tax rate for the current fiscal year was \$1.1178, which is comprised of a maintenance and operations tax rate component of \$0.9700 per \$100 of taxable assessed valuation and a debt service tax rate of \$0.1478 per \$100 of assessed valuation. The District's taxable assessed valuation for calendar year 2019, as of the date that the current tax rate was established, was \$3,020,952,319.

Section 11. Issuance of New Debt. The District may determine to issue the bonds authorized by the Propositions in one or more series of bonds over a period of years in a manner and in accordance with a schedule to be determined by the Board based upon a number of factors, including, but not limited to, the then current needs of the District, demographic changes, prevailing market conditions, assessed valuations of property in the District and management of the District's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations of property vary based upon a number of factors beyond the District's control, and therefore, the District cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Propositions. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The District estimates that, based on the District's current taxable assessed valuation, current market conditions and estimated future growth in the District's taxable assessed valuation, if all of the bonds authorized by the Propositions were issued in accordance with the District's current project finance plan, the maximum interest rate on the bonds is not expected to exceed 2.47%.

Section 12. Voter Information Document. The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, in consultation with the District's attorney and bond counsel, is hereby authorized and directed to provide a voter information document, in the form prescribed by Section 1252.052(b), Texas Government Code (the "Information Document").

The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, is further authorized and directed to post the Information Document in the same manner as provided for notice of the Election under Section 9 of this Order, and additionally on the District's website in an easily accessible manner beginning not later than the twenty-first (21st) day before the date set for the Election and ending on the day after Election Day.

Section 13. Necessary Actions. The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, in consultation with the District's attorney and bond counsel, is 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, including

making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Order.

Section 14. Severability. If any provision, section, subsection, sentence, clause or phrase of this Order, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Board in adopting this Order that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Order are declared to be severable for that purpose.

Section 17. Purpose; Effective Date. This Order amends, restates and supplements the May Election Order and shall take effect immediately upon its approval.

EXHIBIT A

ELECTION DAY POLLING LOCATIONS
MCMULLEN COUNTY

ELECTION DAY SCHEDULE

Tuesday, November 3, 2020
7:00 A.M. – 7:00 P.M.

Precinct	<u>Presiding Judge</u>	Clerk	<u>Polling Location and Address</u>
Precinct 1	Cecile Stanley		St. Joseph's Catholic Church 705 Congress Street Tilden, Texas
Precinct 2 and 4	Precinct 2 Bailey Serrata Precinct 4 Gracie Quintanilla		McMullen County Courthouse 501 River Street Tilden, Texas 78072
Precinct 3	Brandy Cummings		Calliham Community Center 358 Recreation Road 8 Calliham, Texas 78007

EXHIBIT B

EARLY VOTING POLLING LOCATIONS
MCMULLEN COUNTY

Early Voting Period: Tuesday, October 13 through Friday, October 30

Early Voting Clerk: Kendra Patton
P.O. Box 235
Early Voting Clerk Address: 501 River Street
Tilden, Texas 78072

Presiding Judge of the Early Voting Ballot Board: Kendra Patton

Early Voting by Personal Appearance:

Early Voting Location

McMullen County Courthouse
501 River Street
Tilden, Texas 78072

Early Voting Schedules

8:00 a.m. to 4:00 p.m. Tuesday, October 13, 2020 through Friday, October 16, 2020
8:00 a.m. to 4:00 p.m. Monday, October 19, 2020 through Friday, October 23, 2020
8:00 a.m. to 4:00 p.m. Monday, October 26, 2020 through Friday, October 30, 2020

Early Voting by Mail:

Applications for voting by mail should be mailed to be received no earlier than Friday, October 13 , 2020, and no later than the close of business (5:00 p.m.) on Friday, November 4, 2020.

Attention:
Kendra Patton
Early Voting Clerk
P.O. Box 235
Tilden, Texas 78072