

NOTICE OF ELECTION

TO THE RESIDENT, QUALIFIED VOTERS OF KENEDY COUNTY AND THE
KENEDY COUNTY-WIDE COMMON SCHOOL DISTRICT

TAKE NOTICE that an election will be held in Kenedy County, Texas on November 8, 2022 for the benefit of the Kenedy County-Wide Common School District concerning the issuance of bonds in accordance with an order that reads substantially as follows:

AN ORDER BY THE COMMISSIONERS COURT OF KENEDY COUNTY, TEXAS CALLING A BOND ELECTION TO BE HELD IN KENEDY COUNTY, TEXAS FOR THE BENEFIT OF THE KENEDY COUNTY-WIDE COMMON SCHOOL DISTRICT; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION

WHEREAS, the Kenedy County-Wide Common School District (the *District*) is a “common school district” under the laws of the State of Texas located wholly within the boundaries of Kenedy County (the *County*); and

WHEREAS, pursuant to Section 45.001(a)(1) of the Texas Education Code (the *Education Code*), the Commissioners Court of the County (the *Court*) is authorized to issue bonds on behalf of the School District, and to levy, pledge, assess, and collect annual ad valorem taxes sufficient to pay the principal of and interest on such bonds as the principal and interest become due, if the issuance of such bonds is authorized by a majority of the qualified voters of the School District voting at an election held for that purpose; and

WHEREAS, Section 45.003 of the Education Code requires the Court to call an election on behalf of the District to authorize the issuance of such bonds for the District; and

WHEREAS, on July 27, 2022, the Board of Trustees of the District adopted an order requesting that the Court call a bond election for the benefit of the District; and

WHEREAS, the Court hereby finds and determines that an election should be held to determine whether the County shall be authorized on behalf of the District to issue bonds in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the County will conduct the Election according to the Texas Election Code, as amended (the *Election Code*), and other applicable state and federal laws; and

WHEREAS, the Court hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the County; now, therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF KENEDY COUNTY, TEXAS THAT:

SECTION 1. The Election will be held in KENEDY COUNTY, TEXAS on November 8, 2022 (*Election Day*), which is a uniform election date under the Election Code and not less than

78 days nor more than 90 days from the date of this order (the *Order*), for the purpose of submitting the following measure to the qualified voters of the County:

KENEDY COUNTY MEASURE A

Shall the Commissioners Court of Kenedy County be authorized to issue and sell bonds on behalf of the Kenedy County-Wide Common School District, in one or more series, in the aggregate principal amount of \$1,500,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities) and the purchase of new school buses, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Commissioners Court, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Commissioners Court be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the County sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?

SECTION 2. One or more County election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the County election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). In compliance with the Election Code, the County will appoint Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, and can correct, modify, or change the Exhibits to this Order as necessary to the extent permitted by applicable law.

A. To the extent required law, the appointment of election officials at polling locations must include a person fluent in the Spanish language.

B. On Election Day, the polls shall be open as designated on Exhibit A.

C. The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This main early voting location shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the Election Code. Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained as identified in Exhibit B.

D. The County hereby establishes an Early Voting Ballot Board for the purpose of processing early voting results, and the County authorizes its election official to designate the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board

members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

SECTION 3. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance, and when required by the Election Code, at least one accessible voting system per polling place will be provided. Certain early voting may be conducted by mail according to the Election Code.

SECTION 4. The County is authorized to utilize a Central Counting Station (the Station) as provided the Election Code. The Election Official, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station according to the Election Code. The Court hereby authorizes the Election Official, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The Election Official will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station according to the Election Code.

SECTION 5. The official ballot shall be prepared according to the Election Code so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measure which shall appear on the ballot substantially as follows:

KENEDY COUNTY PROPOSITION A

THE ISSUANCE OF \$1,500,000 OF BONDS FOR SCHOOL FACILITIES AND SCHOOL BUSES IN THE KENEDY COUNTY-WIDE COMMON SCHOOL DISTRICT AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.

SECTION 6. All resident, qualified voters of the County shall be permitted to vote at the Election, and, on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted in accordance with the Texas Election and Government Codes, as amended, and as may be required by law. To the extent required by law, all Election materials and proceedings shall be printed in both English and Spanish.

SECTION 7. Notice of election, including a Spanish translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the County, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 days, prior to Election Day. Moreover, a substantial copy of this Ordinance and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (a) not less than 21 days prior to Election Day (1) on the bulletin board at the County Courthouse used for posting notices of Council meetings, (2) in three additional public places within the County’s boundaries, (3) in a prominent location on the County’s internet website, and (b) in a prominent location at each polling place on Election Day and during early voting. A sample ballot shall be posted on the County’s internet website not less than 21 days prior to Election Day.

SECTION 8. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Election Code, the District, as of the date of this order, had outstanding an aggregate principal amount of debt equal to \$0; the aggregate amount of the interest owed on such County debt obligations, through respective maturity, totaled \$0; and the District levied an ad valorem

debt service tax rate for its outstanding debt obligations of \$0 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Court's adoption of this Order, the estimated maximum interest rate for any series of bonds authorized at the Election is 4% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the County estimates that, based on current bond market conditions, such bonds will amortize over a 15-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Court authorizes the County Judge, the Election Official, or their designees, to negotiate and enter into one or more joint election agreements, election service contracts, and/or similar contracts or agreements with any other political subdivisions with territory within the County who are also conducting elections on Election Day, as determined to be necessary or desirable. In addition, the Court authorizes the County Judge, the Election Official, or their designees, to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Court as evidenced herein.

SECTION 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Court.

SECTION 11. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 12. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Court hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15. This Order shall be in force and effect from and after the date of its adoption, and it is so ordered.

PASSED AND APPROVED on August 15, 2022.

Exhibit A (Anexo A)

ELECTION DAY November 8, 2022 (*DÍA DE LA ELECCIÓN 8 de noviembre de 2022*)

County's website (*Sitio web del Condado*): <https://kenedycountyelections.com/>

Election Day Polling Locations open from 7 a.m. to 7 p.m.
(*Lugares de votación del Día de la Elección abiertos de 7 a.m. a 7 p.m.*)

Polling Place Number (Número de lugar de votación)	Applicable Voters (Votantes aplicables)	Polling Place (Lugar de la votación)
1	All voters in Commissioner's Precinct 1.	Sarita Elementary School 150 La Parra Ave. Sarita, Texas 78385
2	All voters in Commissioner's Precinct 2	Kenedy County Election's Office 150 N. Turcotte St. Sarita, Texas 78585
3	All voters in Commissioner's Precinct No. 3 residing north of the southern boundary of Los Finados Grant extended across said Precinct 3.	Kenedy County Justice Building 101 N. Main St. Sarita, Texas 78585
4	All voters in Commissioner's Precinct No. 3 residing south of the southern boundary of Los Finados Grant extended across said Precinct No. 3.	Armstrong Post Office 2151 N Highway 77 Armstrong, Texas 78338
5	All voters in Commissioner's Precinct No. 4 residing north of the southern boundary of Los Motos de la Barreta Grant (Little Barreta Grant) in Kenedy County.	Kenedy County Tax Office 319 La Parra Ave Sarita, Texas 78385
6	All voters in Commissioner's Precinct No. 4 residing south of the southern boundary of Los Motos de la Barreta Grant (Little Barreta Grant) in Kenedy County.	Sheriff's Substation Office 1310 S. Hwy 77 Armstrong, Texas 78338

Presiding Judges and Alternates: to be appointed by the County
(*Jueces Presidentes y Suplentes: ser designado por el condado*)

Exhibit B (Anexo B)

EARLY VOTING (VOTACIÓN ANTICIPADA)

County's website (*Sitio web del Condado*): <https://kenedycountyelections.com/>

October 24-28, 2022	(24-28 de octubre de 2022)	7:30 am – 4:30 pm
October 31, 2022	(31 de octubre de 2022)	7:30 am – 4:30 pm
November 1-4, 2022	(1-4 de noviembre de 2022)	7:30 am – 4:30 pm

Kenedy County Elections Office, 150 N. Turcotte St., Sarita, Texas 78385

Early Voting By Mail (*Votación Anticipada por Correo*)

Applications for voting by mail should be received no later than the close of business (5:00 pm) on October 28, 2022. Applications should be sent to:

(Las solicitudes de votación por correo deben ser recibidas a más tardar al cierre de operaciones (5:00 p.m.) del 28 de octubre de 2022. Se deben enviar las solicitudes a:)

Brian Birdwell, Early Voting Clerk (*secretario de votación anticipada*)
mailing address (*dirección de envío*): P.O. Box 243, Sarita, TX 78385
physical address (*dirección física*): 150 North Turcotte, Sarita, TX 78385
phone (*teléfono*): (361) 294-5255
fax (*fax*): (361) 294-5337
email (*correo electrónico*): bbirdwell@co.kenedy.tx.us

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

(Si se envía por fax o correo electrónico una solicitud de boleta por correo (o si se envía por fax una solicitud postal federal), el solicitante también debe enviar la solicitud original para que el secretario de votación anticipada reciba el original a más tardar cuatro días después de recibir la copia enviada por correo electrónico o por fax.)

Exhibit C (Anexo C)

VOTER INFORMATION DOCUMENT (DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)

County of Kenedy, Texas Proposition A:
(Propuesta A del Condado de Kenedy, Texas:)

<input type="checkbox"/> FOR (a favor)	THE ISSUANCE OF \$1,500,000 OF BONDS FOR SCHOOL FACILITIES AND SCHOOL BUSES IN THE KENEDY COUNTY-WIDE COMMON SCHOOL DISTRICT AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.	LA EMISIÓN DE \$1,500,000 EN BONOS PARA INSTALACIONES ESCOLARES Y AUTOBUSES ESCOLARES EN EL DISTRITO ESCOLAR COMÚN DEL CONDADO DE KENEDY, Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR. ESTE ES UN INCREMENTO DEL IMPUESTO A LA PROPIEDAD.
<input type="checkbox"/> AGAINST (en contra)		

principal of debt obligations to be authorized (capital de obligaciones de deuda que se autorizará)	\$1,500,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4% (interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de 4%)	\$346,800
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 10 years (capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 10 años)	1,846,800
as of the date the election was ordered, principal of all outstanding debt obligations (a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes)	\$0
as of the date the election was ordered, the estimated interest on all outstanding debt obligations (a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes)	\$0
as of the date the election was ordered, the ad valorem debt service tax rate per \$100 of taxable assessed valuation (a partir de la fecha en que se ordenó la elección, la tasa impositiva del servicio de la deuda ad valorem por cada \$100 de valuación tasada imponible)	\$0
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations (capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes)	\$0
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved (aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba). This figure makes conservative assumptions about the amortization of the debt obligations; the estimated future appraised values; and the estimated interest rate. (Esta cifra hace suposiciones conservadoras sobre la amortización de las obligaciones de deuda; los valores de tasación futuros estimados; y la tasa de interés estimada.).	\$14.00