

NOTICE OF BOND ELECTION

THE STATE OF TEXAS	§
	§
COUNTY OF FAYETTE	§
	§
FLATONIA INDEPENDENT SCHOOL DISTRICT	§

**TO THE RESIDENT, QUALIFIED ELECTORS OF THE
FLATONIA INDEPENDENT SCHOOL DISTRICT:**

NOTICE IS HEREBY GIVEN that an election will be held in the FLATONIA INDEPENDENT SCHOOL DISTRICT, on the 6th day of November, 2018 in obedience to an order duly entered by the Board of Trustees of the Flatonia Independent School District on August 20, 2018, which order reads substantially as follows:

ORDER BY THE BOARD OF TRUSTEES OF THE FLATONIA INDEPENDENT SCHOOL DISTRICT CALLING A BOND ELECTION TO BE HELD WITHIN SAID DISTRICT; MAKING PROVISIONS FOR THE CONDUCT OF A JOINT ELECTION AND THE GIVING OF NOTICE OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS INCIDENT AND RELATED THERETOTerr

WHEREAS, the Board of Trustees (the “Board”) of the Flatonia Independent School District (the “District”), located in Fayette County, Texas (the “County”), hereby finds and determines that an election should be held to determine whether the District shall be authorized to issue bonds of the District in the amount and for the purposes hereinafter set forth (the “Election”); and

WHEREAS, it is hereby officially found and determined that said Election shall be held on a uniform election date established by Section 41.001(a), Texas Election Code, as amended, as required by laws of the State of Texas (the “State”); and

WHEREAS, the District will contract with the elections administrator (the “Elections Administrator”) to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by the County and held jointly with other political subdivisions for which the County is also conducting elections (such other political subdivisions, collectively, the “Participants”), as per the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, the County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, the Board hereby finds and determines that the want to construct various capital improvements within the District affirms that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified;

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; and

WHEREAS, the Board finds and declares that the meeting at which this order (the “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; Now Therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF FLATONIA 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; Proposition. The Election shall be held for and within the District on Tuesday, November 6, 2018 (“Election Day”), which is a uniform election date under the Texas Election Code (the “Code”), as amended, and is 78 or more days from the date of the adoption of this Order, for the purpose of submitting the following proposition (the “Proposition”) to the qualified voters of the District:

FLATONIA INDEPENDENT SCHOOL DISTRICT – PROPOSITION A

SHALL THE BOARD OF TRUSTEES OF FLATONIA INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES, BONDS OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$13,950,000 FOR THE PURPOSES OF DESIGNING, CONSTRUCTING, RENOVATING, IMPROVING, ACQUIRING, AND EQUIPPING SCHOOL FACILITIES (AND ANY NECESSARY OR RELATED REMOVAL OF EXISTING FACILITIES) IN THE DISTRICT, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALY OR OTHERWISE IN ACCORDANCE WITH LAW AND NOT MORE THAN 40 YEARS FROM THEIR DATE, AND SHALL BEAR INTEREST AT SUCH RATE(S), NOT TO EXCEED THE MAXIMUM RATE(S) NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED BY THE BOARD OF TRUSTEES OF THE DISTRICT WITHIN THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD OF TRUSTEES BE AUTHORIZED TO LEVY AND PLEDGE, AND CAUSE TO BE ASSESSED AND COLLECTED, ANNUAL 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 AND THE COST OF ANY CREDIT AGREEMENT(S) EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS; SAID BONDS TO BE ISSUED AND SAID TAXES TO BE LEVIED, PLEDGED, ASSESSED, AND COLLECTED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS INCLUDING THE TEXAS EDUCATION CODE?

Section 3. Official Ballot.

(a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved County voting systems and ballots.

Section 4.(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code to permit the electors to vote “FOR” or “AGAINST” the aforesaid Proposition which shall appear on the ballot substantially as follows:

FLATONIA INDEPENDENT SCHOOL DISTRICT – PROPOSITION A

- | | | |
|----------------------------------|---|---|
| <input type="checkbox"/> FOR |) | “THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$13,950,000 FOR THE PURPOSES OF DESIGNING, CONSTRUCTING, RENOVATING, IMPROVING, ACQUIRING, AND EQUIPPING SCHOOL FACILITIES IN THE DISTRICT; AND THE LEVYING OF A TAX IN PAYMENT THEREOF” |
| <input type="checkbox"/> AGAINST |) | |

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. One or more school 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 school election precincts as set forth in Exhibit A (which is incorporated herein by reference for all purposes). To the extent permitted by law, the Superintendent or his designee is hereby authorized to effect any necessary change(s) to election practices and procedures, and to correct, modify, or change Exhibit A. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 7. Early Voting Locations, Dates and Times.

(a) In accordance with the provisions of the Texas Election Code, as amended, early voting shall commence as provided in Exhibit B (which is incorporated herein by reference for all purposes) and continue through the date set forth therein or at such other location(s) as hereafter may be designated by the District. Additionally, the Superintendent or his designee is hereby authorized to effect any necessary change(s) to election practices and procedures, and to correct, modify, or change Exhibit B, to the extent permitted by law.

(b) Permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. The Elections Administrator shall determine all such information, as identified in Exhibit B hereto.

(c) Terri B. Hefner, the County Elections Administrator, 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 Clerk(s) as necessary for the Election.

(d) Pursuant to Section 84.007(b)(4) of the Texas Election Code, the Early Voting Clerk shall receive applications for ballot by mail by electronic transmission. Applications for ballot by mail, electronic transmission or otherwise must be received by the Early Voting Clerk by the later of the close of business or noon on October 26, 2018. Applications should be sent to: 151 North Washington, Room 108, La Grange, Texas 78945; and persons wishing to apply by electronic transmission must e-mail such application containing an original signature to the following e-mail address: elections@co.fayette.tx.us.

Section 8. Appointment of Election Officers.

(a) The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed; election judges and alternate judges may be changed; polling places may be combined for some precincts; and, the central counting station shall be established and staffed all as determined by the Superintendent, pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, the County, and/or any Participants, and such actions are hereby approved.

(b) The Election shall be conducted by election officers, including the presiding judges and alternate presiding judges appointed by the Superintendent, in accordance with the Education Code, the Election Code, the Constitution and laws of the State and the United States of America and any such agreement as described in Section 7(a) above. The presiding judges shall appoint not less than two or more than five qualified election clerks for the conduct of the Election. The Board hereby authorizes the Superintendent to appoint any such other officials, as are necessary and appropriate to conduct the Election in accordance with the Election Code.

Section 9. 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 day nor later than the tenth day prior to the date set for the Election, in a newspaper published in the District (or otherwise complies with State law), (ii) by posting a copy of this Order, in English and Spanish, on the bulletin board used for posting notices of meetings of the Board, not later than the twenty-first day prior to the date set for the Election and in at least three public places in the boundaries of the District, not later than the twenty-first day prior to the date set for the Election and (iii) by 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 Proposition, not later than the twenty-first 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 not later than the sixtieth day before the Election Day.

Section 10. Conduct of Election.

(a) The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

(b) Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

Section 11. Additional Information Required by Section 3.009 of the Election Code.

(a) As of September 1, 2018, the first day of the District's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the District was \$3,660,900 and the aggregate amount of outstanding interest on such tax-supported debt was \$1,680,000. The District's ad valorem debt service tax rate as of the date of this Order is \$0.1400 per \$100 of assessed valuation of taxable property in the District.

(b) The District intends to issue the bonds authorized by the Proposition 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 in the District and management of the District's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations 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 Proposition. 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 most recently adopted District tax rate for maintenance and operations purposes is \$1.1700 per \$100 of assessed valuation. Based upon the bond market conditions at the date of adoption of this Order, the interest rate of the debt obligations or any series of debt obligations issued pursuant to the Election will not exceed 6.00%. The bonds proposed herein may be issued to mature over a specified number of years not to exceed 40 years.

(c) Any additional information required by Section 3.009 of the Texas Election Code is contained in Sections 2 and 3 of this Order.

Section 12. Necessary Actions. The Superintendent or his 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 Texas Election Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

Section 13. 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 14. Effective Date. This Order shall take effect immediately upon its approval.

PASSED AND APPROVED this 20th day of August, 2018.

/s/ Tim Rowell
President, Board of Trustees
Flatonia Independent School District

ATTEST:

/s/ Ramon Lopez, Jr.
Secretary, Board of Trustees
Flatonia Independent School District

(District Seal)

EXECUTION PAGE
NOTICE OF ELECTION
EXHIBIT A

**FLATONIA INDEPENDENT SCHOOL DISTRICT
ELECTION DAY PRECINCT AND POLLING INFORMATION**

Precinct No.	Precinct Location	Polling Location
13	West Point	New United Baptist Church 325 West Point Loop West Point, Texas 78963
14	Muldoon	Muldoon Baptist Church 300 Cochran St. Muldoon, Texas 78949
15	Cistern	Cistern Parish Hall 113 Manchester Flatonia, Texas 78941
16	Flatonia	Flatonia Civic Center 208 E. North Main Flatonia, Texas 78941
17	Praha	Praha Community Hall 821 FM 1295 Flatonia, Texas 78941
20	Hostyn	Hostyn Catholic Church Parish Hall 914 FM 2436 La Grange, Texas 78945

Applications for ballots by mail must be received no later than the close of business on Friday, October 26, 2018. Applications for ballot by mail shall be e-mailed to elections@co.fayette.tx.us; or mailed to: Fayette County Elections Office, P.O. Box 605, La Grange, Texas 78945.

EXHIBIT B

EARLY VOTING INFORMATION

Branch Early Voting Polling Location

Flatonia Independent School District
Administration Building
400 E. 4th, Flatonia, Texas 78941

Branch Early Voting Dates and Times

Day(s)	Date(s)	Hours
Monday - Friday	Oct. 22, 2018 – Oct. 26, 2018	8:00 a.m.– 4:00 p.m.
Tuesday - Friday	Oct. 30, 2018 – Nov. 2, 2018	8:00 a.m. – 4:00 p.m.

Main Early Voting Polling Location

Fayette County Courthouse
Election Office, Room 108
La Grange, Texas 78945

Main Early Voting Dates and Times

Day(s)	Date(s)	Hours
Monday – Friday	Oct. 22, 2018 – Oct. 26, 2018	7:00 a.m. – 7:00 p.m.
Saturday	Oct 27, 2018	9:00 a.m. – 3:00 p.m.
Sunday	Oct 28, 2018	9:00 a.m. – 1:00 p.m.
Monday - Friday	Oct. 29, 2018 – Nov. 2, 2018	7:00 a.m. – 7:00 p.m.

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Additional Temporary Branch Early Voting Polling Location

Additional Temporary Branch Early Voting Locations		
Date	Tuesday, October 23, 2018	
Location & Time	Warda-Holy Cross Lutheran Fellowship Hall	8:00 a.m.- 5:00 p.m.
	600 FM 1482	
	Warda, TX 78960	
Date	Thursday, October 25, 2018	
Location & Time	Fayetteville Civic Center	8:00 a.m.- 5:00 p.m.
	202 West Main St	
	Fayetteville, TX 78940	
Date	Tuesday, October 30, 2018	
Location & Time	Schulenburg County Building	8:00 a.m.- 5:00 p.m.
	312 Paulus Street	
	Schulenburg, TX 78956	
Date	Thursday, November 01, 2018	
Location & Time	Round Top Courthouse	8:00 a.m.- 5:00 p.m.
	102 Main St	
	Round Top, TX 78954	