

NOTICE OF BOND ELECTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of McMullen County Independent School District (the "District"), on August 7, 2014, approved an order calling a bond election to be held within the District on November 4, 2014. A substantial copy of the order calling the bond election is set forth below.

ORDER BY THE BOARD OF TRUSTEES OF MCMULLEN COUNTY INDEPENDENT SCHOOL DISTRICT CALLING A BOND ELECTION TO BE HELD WITHIN SAID 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 the McMullen County Independent School District (the "District") hereby finds and determines that it is necessary and advisable to call and hold an election (the "Election") for and within the District on the bond proposition hereinafter set forth (the "Proposition"); and

WHEREAS, the 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 and determines 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 Texas law; and

WHEREAS, the Board hereby finds 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; 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; Proposition. An election (the "Election") shall be held for and within the District on Tuesday, November 4, 2014 ("Election Day"), a uniform election date established by Section 41.001(a) of the Texas Election Code, as amended (the "Code"). At the Election the following proposition (the "Proposition") shall be submitted to the qualified voters of the District in accordance with law:

PROPOSITION NO. ONE

SHALL THE BOARD OF TRUSTEES OF MCMULLEN COUNTY INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE DISTRICT IN THE AMOUNT OF \$14,550,000 FOR THE PURPOSES OF DESIGNING, CONSTRUCTING, RENOVATING, ACQUIRING, AND EQUIPPING SCHOOL FACILITIES, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL FACILITIES, AND THE PURCHASE OF NEW SCHOOL BUSES, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALLY OR OTHERWISE NOT MORE THAN 40 YEARS FROM THEIR DATE, AND SHALL BEAR INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM RATE 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 IMPOSED, 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 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 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 voting systems and ballots.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote "FOR" or "AGAINST" the Proposition, which shall be set forth on the ballots substantially in the following form:

PROPOSITION NO. ONE

- | | | |
|----------------------------------|---|--|
| <input type="checkbox"/> FOR |) | "THE ISSUANCE OF \$14,550,000 BONDS FOR THE PURPOSES OF DESIGNING, CONSTRUCTING, RENOVATING, ACQUIRING, AND EQUIPPING SCHOOL FACILITIES, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL FACILITIES, AND THE PURCHASE OF NEW SCHOOL BUSES, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" |
| <input type="checkbox"/> AGAINST |) | ACQUIRING, AND EQUIPPING SCHOOL FACILITIES, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL FACILITIES, AND THE PURCHASE OF NEW SCHOOL BUSES, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF" |

Section 4. Persons Qualified to Vote. All resident, qualified electors of the District shall be eligible to vote at the Election.

Section 5. Election Precincts, Voting Locations and Voting Hours on Election Day. The voting precincts and polling places for the Election are hereby designated to be those municipal voting precincts identified by their respective district precinct numbers as determined by the County Clerk. Such precincts and locations are listed on **Exhibit A** attached hereto, which is incorporated herein by reference and made a part hereof for all purposes; provided, however, such precincts and locations may be changed if so directed by the County Clerk without further action of the District. The County Clerk is hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the Election.

Section 6. Early Voting Locations, Dates and Times. (a) The County Clerk is hereby appointed as Early Voting Clerk for the Election. The early voting place and the address 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 County Clerk without further action of the District. The County Clerk is hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The County Clerk and/or Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot board and the presiding judge and alternate judge in accordance with the requirements of the Code.

(b) Early voting by personal appearance shall be conducted on the days and during the hours set forth in **Exhibit B**.

(c) Applications for early voting by mail shall be submitted to the Early Voting Clerk during the time period and at the address set forth in **Exhibit B**.

(d) Voting times may be changed if so directed by the County Clerk without further action of the District. The County Clerk is hereby authorized and directed to make such changes in voting hours as may be necessary for the proper conduct of the Election.

Section 7. Appointment of Election Officers. The Election shall be conducted under the jurisdiction of the County Clerk pursuant to a Joint Election Contract (the "Contract") by and among the County Clerk, the District and other participating entities, if any, described in the Contract. The Superintendent or the Superintendent's designee is authorized to amend or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by the County Clerk.

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) 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 (21st) day prior to the date set for the Election and in at least three (3) public places in the boundaries of the District, not later than the twenty-first (21st) 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 (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.

Section 9. Conduct of Election. 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.

Section 10. Additional Information Required by Section 3.009 of the Election Code.

(a) As of the September 1, 2014, the first day of the District's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the District was \$9,338,000.00 and the aggregate amount of outstanding interest on such tax-supported debt was \$1,212,915.30. The District's ad valorem debt service tax rate for the current fiscal year is \$0.0526 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 District currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the District's currently project plan of finance, the District's maximum ad valorem debt service tax rate would be approximately \$0.0526 per \$100 of assessed valuation.

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

Section 11. Necessary Actions. The President of the Board, the Superintendent of the District, or any designee thereof, 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 12. 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 13. Effective Date. This Order shall take effect immediately upon its approval.

PASSED AND APPROVED the 7th day of August, 2014.

Exhibit A

**Precinct Numbers and Election Day Voting Locations
November 4, 2014 Election**

Election Day Voting

Election Date: November 4, 2014
Hours for Voting: 7:00 a.m. to 7:00 p.m.

<u>District Precinct Number</u>	<u>McMullen County Precinct Number</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>	<u>Polling Location and Address</u>
1	1	Victoria Rogers	C.K. Casas	Catholic Church Hall 708 Congress Street Tilden, Texas 78072
2	2A & 2B	Bailey Serrata	Valery Serrata	McMullen County Court House 501 River Street Tilden, Texas 78072
3	3	Shirley Koonce	Mary Warren	Caliham Community Center 191 Recreation Road 8 Caliham, Texas 78007
4	4A & 4B	Gracie Quintanilla	Jake Serrata	McMullen County Court House 501 River Street Tilden, Texas 78072

Exhibit B

**Early Voting Dates and Polling Locations
November 4, 2014 Election**

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

Presiding Judge of the Early Voting Ballot Board: Mattie Sadovsky

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. Monday, October 20, 2014 through Friday, October 24, 2014
8:00 a.m. to 4:00 p.m. Monday, October 27, 2014 through Friday, October 31, 2014

Early Voting by Mail:

Applications for voting by mail should be mailed to be received no earlier than Friday, September 5, 2014, and no later than the close of business (4:00 p.m.) on Friday, October 24, 2014.

Attention:
Mattie Sadovsky
McMullen County Clerk
P.O. Box 235
Tilden, Texas 78072