

**AN ORDER CALLING A BOND ELECTION, MAKING PROVISION FOR THE
CONDUCT OF THE ELECTION, AND RESOLVING OTHER MATTERS
INCIDENT AND RELATED TO SUCH ELECTION**

STATE OF TEXAS	§
	§
COUNTY OF VAL VERDE	§
	§
SAN FELIPE DEL RIO CONSOLIDATED	§
INDEPENDENT SCHOOL DISTRICT	§

WHEREAS, the Board of Trustees (the “Board”) of the San Felipe Del Rio Consolidated Independent School District (the “District”) finds and determines that it is necessary and advisable to call and hold the election hereinafter ordered pursuant to Subchapter A, Chapter 45, Texas Education Code, as amended, and the Texas Election Code, as amended;

WHEREAS, it is hereby officially found and determined that the holding of this election is in the public interest;

WHEREAS, the Board wishes to contract for election services with the Val Verde County Elections Office (the “County”), as authorized by Section 31.092, as amended, Texas Election Code; and

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

WHEREAS, the Board hereby finds and determines that it is in the best interest of the District to enter into an election agreement with the County in accordance with the laws of the State of Texas (the “State”) and applicable federal laws; and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE SAN FELIPE DEL RIO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Findings. The statements contained in the preamble of this Order are true and correct and adopted as findings of fact.

Section 2. Proposition. An election shall be held on May 6, 2017, in the District, for the purpose of determining whether the Board shall be authorized to issue bonds of the District in the amount and for the purposes identified below, at which election the following proposition shall be submitted in accordance with law:

PROPOSITION

“Shall the Board of Trustees of the San Felipe Del Rio Consolidated Independent School District be authorized to issue and sell bonds of the District not to exceed the total principal amount of \$60,000,000 for the construction, renovation, acquisition, and equipment of school facilities in the District including two new elementary schools; extensive improvements to Del Rio High School; and renovations and improvements throughout the District; and may the Board levy, pledge, assess, and collect 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 such bonds and the costs of any credit agreements executed in connection with such 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 respective limits prescribed by law at the time of issuance, as the Board of Trustees in its discretion shall determine?”

Section 3. Disclosures. In accordance with Section 3.009, Texas Election Code, the Board makes the following disclosures:

- (a) The proposition language is set forth in Section 2;
- (b) The purpose for which the Bonds are to be authorized is stated in Section 2;
- (c) The principal amount of the Bonds to be authorized is \$60,000,000;
- (d) Ad valorem taxes sufficient to pay the annual principal and interest on the Bonds may be imposed;
- (e) The maximum interest rate of the Bonds or any series of the Bonds is estimated to be 4.30%, based on the market conditions at the time of this Order. This estimated tax rate is derived from projections obtained from the District’s financial advisor and is provided without any assurance that such projections will be realized. At the time that bonds are issued, the actual total tax rate will depend upon, among other factors, prevailing interest rates, the assessed value of real property in the District and general market conditions; and
- (f) The maximum maturity date of the Bonds shall not exceed 40 years.
- (g) The aggregate amount of the outstanding principal of the District’s Interest and Sinking tax debt obligations as of the beginning of the District’s fiscal year in which the Election is ordered being the year ended August 31, 2016 (the “Fiscal Year”) is \$38,529,993.25 and the aggregate amount of the outstanding principal of the District’s maintenance tax debt obligations as of the beginning of the District’s Fiscal Year is \$0.00.
- (h) The aggregate amount of the outstanding interest on Interest and Sinking tax debt obligations of the District as of the beginning of the Fiscal Year is \$13,195,550.50 and the aggregate amount of the outstanding interest on maintenance tax debt obligations of the District as of the beginning of the Fiscal Year is \$0.00.
- (i) The Interest and Sinking tax debt service tax rate for the District at the time the Election is ordered is \$0.1198 per \$100 valuation of the taxable property and the portion of the maintenance tax debt service tax rate for the District at the time the Election is ordered is \$1.04 per \$100 valuation of the taxable property.

The statements contained in these findings (i) are based on information available to the District on the date of adoption of this Election Order, including information derived from projections obtained from the District’s financial advisor, (ii) necessarily consist of estimates and projections that are subject to change based on facts, circumstances and conditions at the time that bonds approved pursuant to this Election Order are issued and (iii) are not intended to give rise to a contract with the voters or limit the authority of the Board to issue bonds in accordance with other terms contained in this Election Order. Accordingly, actual tax rates, interest rates, maturity dates, aggregate outstanding indebtedness and

interest on such debt will vary and will be established after the bonds are issued. To the extent of any conflict between this subsection and other terms of this Election Order, such other terms control.

Section 4. Voting Hours and Polling Places. (a) Voting shall take place on election day between the hours of 7:00 A.M. and 7:00 P.M. at the regular voting precincts, at the polling places, as set forth in Exhibit "A" attached hereto and made a part hereof as if copied in full.

At least 63 days prior to the scheduled Election Day, the President, Board of Trustees, the Superintendent of Schools, or the respective designees thereof, will identify and formally approve the appointment of the Presiding Judge, Alternate Presiding Judges, Election clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures, and can correct, modify, or change the Exhibits to this Order based upon the final location and times agreed upon by the Elections Administrator and the District.

(b) Voting machines may be used in holding and conducting the Election on Election Day; provided, however, that if the use of voting machines is not practicable, then in that event, electronic voting devices may be used in conducting the Election on Election Day; provided however, in the event the use of such electronic voting devices is not practicable, the Election may be conducted on Election Day by the use of paper ballots. Voting machines, electronic voting devices, or paper ballots may be used for Early Voting by personal appearance. Paper ballots may be used for Early Voting by mail. The District shall also utilize a Central Counting Station (the "Station") as provided by Section 127.000, *et seq.*, as amended, Texas Election Code. The Elections Administrator is hereby appointed as the Manager and the Elections Administrator will serve as Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The District hereby appoints the Elections Administrator as Tabulation Supervisor.

(c) Pursuant to Section 61.012, Texas Election Code, the Elections Administrator 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 requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

Section 5. Election Clerks. The Presiding Judges shall appoint not less than two (2) resident qualified voters of the District to acts as clerks, the appointment of these clerks must include a person fluent in the Spanish language to serve as clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on election day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

Section 6. Early Voting. The main early voting locations are designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The 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 Clerks. This office or place shall remain open to permit early voting each day 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 provisions of the Texas Election Code, as amended. Permanent branch offices for early voting by personal appearance shall be maintained at the locations and times designated on Exhibit B during the early voting period noted above. Early Voting by mail shall be conducted, in addition to any other manner permitted by law, by making application for ballots with the Early Voting Clerk at 400 Pecan Street, Del Rio, Texas 78840, which is hereby designated as a place at which Early Voting by mail be conducted.

Additional temporary branch offices (including mobile units) for Early Voting by personal appearance shall be established and maintained in accordance with the Texas Election Code. The locations, dates, and hours of operation for Early Voting at these temporary branch offices are identified in Exhibit C hereto; this exhibit is incorporated by reference for all purposes. Changes for judges and clerks will be amended as necessary in accordance with the Texas Election Code.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The Elections Administrator is hereby appointed the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two (2) resident qualified voters of the District to serve as members of the Early Voting Ballot Board.

Section 7. Ballots. The official ballots for said election shall be prepared in accordance with the Texas Election Code, so as to permit the electors to vote “For” or “Against” the aforesaid proposition, which shall be set forth substantially as follows:

PROPOSITION

THE ISSUANCE OF \$60,000,000 SCHOOL BUILDING BONDS FOR THE PURPOSES OF CONSTRUCTING, RENOVATING, ACQUIRING, AND EQUIPPING SCHOOL FACILITIES IN THE DISTRICT, AND THE LEVYING OF A TAX IN PAYMENT THEREOF

Section 8. Qualified Electors. All resident, qualified electors of the District shall be entitled to vote at said election.

The Secretary of the Board hereby appoints, and the Board approves the appointment of Dr. Carlos Rios as the Secretary’s agent and Yanakany Valdez as alternative agent, respectively, to perform the duties for this Election as provided by Section 31.123, as amended, Texas Election Code.

Section 9. Notice. (a) 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, (ii) by posting a copy of this Order on the bulletin board used for posting notices of meetings of the District’s Board of Trustees, and not later than the 21st day prior to the date set for the Election, and (iii) on Election day and during early voting by personal appearance, in a prominent location at each polling place in three public places in the boundaries of the District. Notice of the Election shall also be provided to the County Clerk of Val Verde County, no later than the 60th day before the Election Day.

(b) During the 21 days before the election, the Notice of Election shall be posted prominently on the District’s Internet website.

Section 10. Conduct of Election. In all respects said election shall be conducted in accordance with the Texas Election Code.

Section 11. Election Materials. All election materials including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign and all early voting materials shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and the federal Voting Rights Act of 1965, each as amended.

Section 12. Further Acts. The President and the Secretary of the Board of Trustees, in consultation with the District's attorney and bond counsel, are 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 District 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. This Order shall be in force and effect from and after its final passage, and it is so ordered.

/s/ Amy Haynes
Secretary, Board of Trustees

/s/ Joshua Overfelt
President, Board of Trustees

EXHIBIT A

ELECTION DAY SITES

Election Day Voting in the District shall be conducted on the 6th day of May, 2017, between the hours of 7:00 a.m. and 7:00 p.m. at the polling locations listed below. Eligible voters shall vote at the locations listed below. All eligible voters of the District may vote in the Election.

<u>Precinct Nos.</u>	<u>Location</u>
10, 11, 12, and 13	San Felipe Memorial Middle School (Planning Room) 1207 West Garza Street Del Rio, Texas 78840
20, 21, 22, 23, and 24	Del Rio Middle School (Library) 720 Raymond Lozano Boulevard Del Rio, Texas 78842
30, 31, and 33	Buena Vista Elementary School (Conference Room) 100 Echo Valley Drive Del Rio, Texas 78840
40 and 41	Main Voting Location Student Performance Center and Administration (Training Room) 315 Griner Street Del Rio, Texas 78840

EXHIBIT B
EARLY VOTING POLLING PLACES AND TIMES

Early Voting in the District shall be held at the locations and times below.

<u>Location</u>	<u>Dates and Times</u>
San Felipe Memorial Middle School (Planning Room) 1207 West Garza Street Del Rio, Texas 78840	Monday, April 24, 2017 through Saturday, April 29, 2017 from 7:00 am to 7:00 pm Sunday, April 30, 2017 from 12:00 pm to 5:00 pm Monday, May 1, 2017 and Tuesday, May 2, 2017 from 7:00 am to 7:00 pm
Del Rio Middle School (Library) 720 Raymond Lozano Boulevard Del Rio, Texas 78842	Monday, April 24, 2017 through Saturday, April 29, 2017 from 7:00 am to 7:00 pm Sunday, April 30, 2017 from 12:00 pm to 5:00 pm Monday, May 1, 2017 and Tuesday, May 2, 2017 from 7:00 am to 7:00 pm
Buena Vista Elementary School (Conference Room) 100 Echo Valley Drive Del Rio, Texas 78840	Monday, April 24, 2017 through Saturday, April 29, 2017 from 7:00 am to 7:00 pm Sunday, April 30, 2017 from 12:00 pm to 5:00 pm Monday, May 1, 2017 and Tuesday, May 2, 2017 from 7:00 am to 7:00 pm
Main Early Voting Location Student Performance Center and Administration (Training Room) 315 Griner Street Del Rio, Texas 78840	Monday, April 24, 2017 through Saturday, April 29, 2017 from 7:00 am to 7:00 pm Sunday, April 30, 2017 from 12:00 pm to 5:00 pm Monday, May 1, 2017 and Tuesday, May 2, 2017 from 7:00 am to 7:00 pm

All eligible voters of the District may vote at any Early Voting Location and at any Mobile Branch Locations during Early Voting.

EXHIBIT C

MOBILE BRANCH EARLY VOTING POLLING PLACES AND TIMES

<u>Location</u>	<u>Dates and Times</u>
Dr. Lonnie Green Elementary School (Room 1) 905 Cantu Road Del Rio, Texas 78840	Monday, April 24, 2017 from 7:00 am to 7:00 pm
North Heights Elementary School (Library) 2003 North Main Street Del Rio, Texas 78840	Tuesday, April 25, 2017 from 7:00 am to 7:00 pm
Lamar Elementary School (Library) 301 Waters Avenue Del Rio, Texas 78840	Wednesday, April 26, 2017 from 7:00 am to 7:00 pm
Ruben Chavira Elementary School (Room 200) 2553 South US Highway 277 Del Rio, Texas 78840	Thursday, April 27, 2017 from 7:00 am to 7:00 pm
Dr. Fermin Calderon Elementary School (Parental Aide Room) 1900 Highway 90 East Del Rio, Texas 78840	Friday, April 28, 2017 from 7:00 am to 7:00 pm
Irene C. Cardwell Elementary School (Library) 1009 Avenue J Del Rio, Texas 78840	Monday, May 1, 2017 from 7:00 am to 7:00 pm
Del Rio High School (Library) 100 Memorial Drive Del Rio, Texas 78840	Tuesday, May 2, 2017 from 7:00 am to 7:00 pm

All eligible voters of the District may vote at any Early Voting Location and at any Mobile Branch Locations during Early Voting.