

ORDER CALLING SCHOOL BUILDING BOND ELECTION

STATE OF TEXAS §
COUNTY OF AUSTIN §
BELLVILLE INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the “Board”) of the Bellville Independent School District (the “District”) has the power to issue bonds pursuant to Chapter 45, Texas Education Code; and

WHEREAS, the Board has determined that it is necessary and appropriate to call and conduct an election to obtain voter authorization for the issuance of such bonds; and

WHEREAS, the District will enter into one or more election agreements (the “Election Agreements”) with Austin County, Texas (the “County”), by and through the respective County’s Elections Official (the “Official”) and possibly other political subdivisions (the “Participants”), in accordance with the laws of the State of Texas (the “State”) and applicable federal law;

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

Section 1. Call of Election; Date; Eligible Electors; and Hours. An election (the “Election”) shall be held on May 6, 2023 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this order (the “Election Order”), within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open on Election Day shall be from 7:00 a.m. to 7:00 p.m.

Section 2. Voting Precincts; Polling Places; Election Officers. Except as otherwise provided herein, the boundaries and territories of the respective County election precincts that are wholly or partially within the territorial boundaries of the District are hereby designated as the voting precincts of the District for the Election and the precinct numbers for the District’s election precincts shall be the corresponding County precinct number of each precinct. The Election Day polling places shall be as shown in **Exhibit A** to this Election Order. The precinct judges and alternate judges for the Election shall be appointed in accordance with the Texas Election Code (the “Election Code”).

In the event that the Superintendent, or her designee, shall determine from time to time that (a) a polling place hereafter designated shall become unavailable or unsuitable for such use, or it would be in the District’s best interests to relocate such polling place, or (b) a presiding judge or alternate presiding judge hereafter designated shall become unqualified or unavailable, the Superintendent, or her designee, is hereby authorized to designate and appoint in writing a substitute polling place, presiding judge or alternate presiding judge, and correct or modify the exhibits to this Election Order, giving such notice, if any, as is required by the Election Code and as deemed sufficient.

Section 3. Proposition. At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the “Proposition”):

BELLVILLE INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE BELLVILLE INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$49,500,000 FOR THE CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, INCLUDING THE CONSTRUCTION OF A NEW JUNIOR HIGH SCHOOL, REPAIRS AND RENOVATIONS TO WEST END ELEMENTARY, O’BRYANT PRIMARY SCHOOL AND BELLVILLE HIGH SCHOOL, THE TRANSITION OF BELLVILLE JUNIOR HIGH SCHOOL INTO AN INTERMEDIATE SCHOOL AND THE REPURPOSING OF THE EXISTING O’BRYANT INTERMEDIATE SCHOOL SITE INTO PARKING FOR O’BRYANT PRIMARY SCHOOL AND ANCILLARY DISTRICT FACILITIES, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD 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 THE BONDS, AND THE COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA??

Section 4. Ballots. The ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

BELLVILLE INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

- | | | |
|-------------|---|--|
| |) | THE ISSUANCE OF \$49,500,000 SCHOOL BUILDING BONDS |
| |) | FOR THE CONSTRUCTION, ACQUISITION, REHABILITATION, |
| |) | RENOVATION, EXPANSION, IMPROVEMENT AND |
| [] FOR |) | EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, |
| |) | INCLUDING THE CONSTRUCTION OF A NEW JUNIOR HIGH |
| |) | SCHOOL, REPAIRS AND RENOVATIONS TO WEST END |
| |) | ELEMENTARY, O’BRYANT PRIMARY SCHOOL AND |
| [] AGAINST |) | BELLVILLE HIGH SCHOOL, THE TRANSITION OF BELLVILLE |
| |) | JUNIOR HIGH SCHOOL INTO AN INTERMEDIATE SCHOOL |
| |) | AND THE REPURPOSING OF THE EXISTING O’BRYANT |

-) INTERMEDIATE SCHOOL SITE INTO PARKING FOR
-) O'BRYANT PRIMARY SCHOOL AND ANCILLARY DISTRICT
-) FACILITIES, AND LEVYING AND IMPOSITION OF TAXES
-) SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON
-) THE BONDS AND THE COSTS OF ANY CREDIT AGREEMENTS.
-) THIS IS A PROPERTY TAX INCREASE.

Section 5. Voting. 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). As required by the 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. Paper ballots may be used for early voting by mail.

Each voter desiring to vote in favor of the Proposition shall mark the ballot indicating "FOR" the Proposition, and each voter desiring to vote against the Proposition shall mark the ballot indicating "AGAINST" the Proposition. Voting will be conducted in accordance with the Election Code.

Section 6. Early Voting. For the use of those voters who are entitled by law to vote early by mail, the early voting clerks shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote "FOR" or "AGAINST" the Proposition. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code.

(a) Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B**. Early voting by personal appearance shall begin on Monday, April 24, 2023 and end on Tuesday, May 2, 2023.

(b) The Board hereby appoints the Official as the regular early voting clerk. The Official's contact information/delivery addresses for applications for ballots to be voted by mail and other matters related to the Election are as follows:

Name: Kim Rinn
Official Mailing Address: 804 E. Wendt, Bellville, Texas 77418
Physical Address: 804 E. Wendt, Bellville, Texas 77418
E-mail Address: krinn@austincounty.com
Phone Number: (979) 865-8633
Fax Number: (979) 865-0183
Website Address: <https://www.austincounty.com/page/austin.Elections>

The Official is hereby authorized and directed to designate the respective early voting ballot board and other officers required to conduct early voting for the Election.

Section 7. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges and alternate judges or clerks appointed by the Board, in accordance with the Election Agreements, the Education Code, the Election Code and the Constitution and laws of the State and the United States of America. The President of the Board, the Superintendent, and their respective designees, are authorized to enter into, execute and deliver an Election Agreement, in accordance with applicable provisions of the Election Code. The terms and provisions of each Election Agreement are hereby incorporated into this Election Order. To the extent of any conflict between this Election Order and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the President of the Board, the Superintendent, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Election Order, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable state and federal law and to carry out the intent of the Board, as evidenced by this Election Order. The Official shall be responsible for establishing the respective central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Bilingual Election Materials. Notice of the Election in Austin County shall be given in English and Spanish and persons capable of acting as translators in English and Spanish in Austin County shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his or her responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds described in such Proposition shall be authorized in the maximum amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the Board to be in the District's best interest.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the Official.

Section 11. Notice of Election; Voter Information Document. Notice of the Election shall be given in the manner required by the Election Code and other applicable law. To the extent required by law, the notice of the Election shall include the District's internet website address, which is <https://www.bellvilleisd.org/>.

A voter information document for the Proposition in the form attached hereto as **Exhibit C** is hereby approved, together with such revisions as may be approved by the President, and shall be posted and provided in accordance with law.

Section 12. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 13. Mandatory Statement of Information.

(a) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 4 of this Election Order, (ii) the purposes for which the bonds are to be authorized are set forth in Section 3 of this Election Order, (iii) the principal amount of bonds to be authorized is set forth in Section 3 of this Election Order, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the costs of any credit agreements may be imposed, as set forth in Section 3 of this Election Order, (v) bonds authorized pursuant to this Election Order may be issued to mature over a specified number of years not to exceed 40 years or the maximum number of years authorized by law and bearing interest at the rate or rates (not to exceed 15%), as authorized by law and determined by the Board, (vi) as of the date of the adoption of this Election Order, the aggregate amount of outstanding principal of the District's debt obligations is \$13,085,000.00, and the aggregate amount of outstanding interest on the District's debt obligations is \$3,266,275.00, and (vii) the District's ad valorem debt service tax rate as of the date of adoption of this Election Order is \$0.1935 per \$100 valuation of taxable property.

(b) Based upon market conditions as of the date of this Election Order, the maximum net effective interest rate for any series of the bonds is estimated to be 5.00%. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to and does not give rise to a contract with voters or limit the authority of the Board to issue bonds in accordance with the Proposition submitted by this Election Order.

Section 14. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all reasonable or necessary actions to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Superintendent and her designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with polling location and other information as same is made available by the County.

Section 15. Authorization to Execute. The President or Vice President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Election Order on behalf of the Board; and the President or Vice President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 16. Effective Date. This Election Order is effective immediately upon its passage and approval.

[Signature page follows]

PASSED AND APPROVED February 13, 2023.

/s/ Grant Lischka

President, Board of Trustees

ATTEST:

/s/ Kenneth Stein

Secretary, Board of Trustees

Signature Page
Bellville Independent School District
Order Calling Bond Election

EXHIBIT A

ELECTION DAY POLLING LOCATIONS¹
(May 6, 2023 between the hours of 7:00 a.m. and 7:00 p.m.)

Countywide Polling Locations
(All precincts can vote at all locations)

<u>Polling Location 1</u> Austin County Annex 800 East Wendt Street Bellville, TX 77418	<u>Polling Location 4</u> W E Hill Community Center 1000 Main Street Sealy, TX 77474
<u>Polling Location 2</u> Bleiblerville Vol. Fire Dept. 3342 FM 2502 Bleiblerville, TX 78931	<u>Polling Location 5</u> San Felipe De Austin State Historic Museum 220 2 nd St. San Felipe, TX 77473
<u>Polling Location 3</u> Industry City Building 725 Main St. Industry, TX 78944	<u>Polling Location 6</u> Father Bernard Snock Religious Education Center 10471 Grotto Road Sealy, TX 77474

¹ Election Day Polling Locations subject to adjustment as directed by the Official.

EXHIBIT B

EARLY VOTING POLLING LOCATION AND TIMES²

Main Early Voting Location:

Austin County Annex Room #4 (Wendt Street)
800 E Wendt St
Bellville, TX 77418

April 24th thru April 28th, 2023 (Monday thru Friday)
8:00 am – 5:00 pm

May 1st thru May 2nd, 2023 (Monday and Tuesday)
8:00 am – 5:00 pm

² Early Voting Polling Locations subject to adjustment as directed by the Official.

EXHIBIT C³

VOTER INFORMATION DOCUMENT

BELLVILLE INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

- [] FOR) THE ISSUANCE OF \$49,500,000 SCHOOL BUILDING BONDS
) FOR THE CONSTRUCTION, ACQUISITION, REHABILITATION,
) RENOVATION, EXPANSION, IMPROVEMENT AND
) EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT,
) INCLUDING THE CONSTRUCTION OF A NEW JUNIOR HIGH
) SCHOOL, REPAIRS AND RENOVATIONS TO WEST END
[] AGAINST) ELEMENTARY, O'BRYANT PRIMARY SCHOOL, BELLVILLE
) JUNIOR HIGH SCHOOL AND BELLVILLE HIGH SCHOOL AND
) THE TRANSITION OF O'BRYANT INTERMEDIATE SCHOOL,
) AND LEVYING AND IMPOSITION OF TAXES SUFFICIENT TO
) PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND
) THE COSTS OF ANY CREDIT AGREEMENTS. THIS IS A
) PROPERTY TAX INCREASE.

1. Principal of the debt obligations to be authorized	\$49,500,000.00
2. Estimated interest for the debt obligations to be authorized	\$50,844,101
3. Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized	\$100,344,101
4. Principal of all outstanding debt obligations of the District*	\$13,085,000.00
5. Estimated remaining interest on all outstanding debt obligations of the District*	\$3,266,275.00
6. Estimated combined principal and interest required to pay on time and in full all outstanding debt obligations of the District*	\$16,351,275.00
7. Estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved, based upon assumptions made by the governing body of the District	\$6.00
8. Other information that the District considers relevant or necessary to explain the foregoing information	See major assumptions listed below.

* As of the date of adoption of the District's Bond Election Order.

³ The Superintendent shall be authorized to complete and make any modifications to this **Exhibit C** deemed appropriate after consulting with the District's bond counsel as to legal sufficiency.

Major assumptions for statements above, including statement 7:

(1) Assumed amortization of the District's debt obligations, including outstanding debt obligations and the proposed debt obligations:

Term	Principal	Interest	Total Proposed Debt Service	Total Proposed Debt Service + Existing Debt Service
30 Years	\$49,500,000.00	\$50,844,101	\$100,344,101	\$116,695,376

(2) Assumed changes in estimated future appraised values within the District: Assumes annual growth of 5% for the first three years, 3% for the following two years and then 1.5% thereafter.

(3) Assumed interest rate on the debt obligations to be issued: 5.17%. Such interest rate assumes that the debt obligations will not be guaranteed by the Permanent School Fund of Texas due to the lack of capacity in the Permanent School Fund of Texas as of the date of adoption of the District's Bond Election Order.

(4) If the assumptions contained herein are met, the District anticipates the need for a tax rate increase to pay debt service on debt obligations issued pursuant to the proposition set forth in this Voter Information Document (the "Proposition"). Therefore, the estimated maximum annual increase in the amount of taxes imposed on a residence homestead to repay the debt obligations, if approved, is expected to be \$6.00. Accordingly, Section 45.003, Texas Education Code, requires that the following statement appear on the ballot for all school district bond propositions: "THIS IS A PROPERTY TAX INCREASE."

(5) Assumes state-mandated homestead exemption of \$40,000 which is anticipated to be approved in the current Texas Legislative Session.

(6) Assumes homestead does not qualify for idiosyncratic exemptions, including, but not limited to, the state-mandated (a) homestead exemption for the elderly and disabled (for which tax payments are capped based on the homeowner's tax payment in the year the exemption is obtained), and (b) homestead exemption for disabled veterans and their families, surviving spouses of members of the armed services killed in action and surviving spouses of first responders killed or fatally wounded in the line of duty.

The estimates contained in this Voter Information Document are (i) based on certain assumptions (including the major assumptions listed above and assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 1251.052, Texas Government Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to (and expressly do not) give rise to a

contract with voters or limit the authority of the District to issue bonds in accordance with the Proposition submitted by the District's Bond Election Order.