

**NOTICE OF ELECTION**

THE STATE OF TEXAS §  
COUNTY OF SAN AUGUSTINE §  
BROADDUS INDEPENDENT SCHOOL DISTRICT §

TO THE RESIDENT, QUALIFIED VOTERS OF THE BROADDUS INDEPENDENT SCHOOL DISTRICT:

TAKE NOTICE that an election will be held in the Broaddus Independent School District on May 6, 2017, in obedience to an order duly entered by the Board of Trustees of Broaddus Independent School District dated February 9, 2017, which order reads substantially as follows:

**ORDER CALLING A BOND ELECTION**

THE STATE OF TEXAS §  
COUNTY OF SAN AUGUSTINE §  
BROADDUS INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the "Board") of Broaddus Independent School District (the "School District") finds and determines that it is necessary and advisable to call and hold an election (the "Election") for and within the School District on the proposition hereinafter set forth;

WHEREAS, it is hereby officially found and determined that said Election shall be held on May 6, 2017, a uniform election date established by Section 41.001(a), Texas Election Code (the "Code"), as required by Texas law;

WHEREAS, the Board has, pursuant to the provisions of Chapter 45, Texas Education Code, the power to issue bonds for the construction, acquisition and equipment of school buildings (including the rehabilitation, renovation, expansion and improvement thereof), the purchase of the necessary sites for school buildings and the purchase of new school buses; and

WHEREAS, the Board, pursuant to the applicable provisions of the Code, has agreed to enter into a joint election agreement with San Augustine County, Texas (the "County") and contract with the County Elections Administrator (the "County Elections Administrator") for election services entered into in accordance with the provisions of Section 271.002, as amended, Code; and

WHEREAS, the Board has determined that it is necessary and convenient to call and conduct a school building bond election to obtain voter authorization of the issuance of school building bonds.

THEREFORE, BE IT ORDERED AND RESOLVED BY THE BOARD OF TRUSTEES OF THE BROADDUS INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Findings. The statements contained in the preamble of this Election 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; and Hours. The Election shall be held for and within the School District on Saturday, May 6, 2017 (the "Election Day") which is a uniform election date under the Code, as amended, and is seventy-eight (78) or more days from the date of the adoption of this order, in accordance with the Code. All resident, qualified electors of the School District shall be entitled to vote in the Election. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places shall be open for voting on May 6, 2017 shall be from 7:00 a.m. to 7:00 p.m.

Section 3. Election Precinct, Voting Location and Voting Hours on Election Day. SECTION 2: The school election precincts hereby established for the purpose of holding the Election and the polling places hereby designated for holding the Election in the school election precincts are identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes) or at such other location as hereafter may be designated by the Presiding Election Judge. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 4. Voting Locations, Dates and Times. Early voting by personal appearance shall be held at the location, at the times and on the days set forth in Exhibit B, attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the County Elections Administrator. At least 78 days prior to the scheduled Election Day, the President of the 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 locations and times agreed upon by the District to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two (2) resident qualified voters of the Counties to act as clerks in order to properly conduct the Election. To the extent required by the Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a 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.

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 office or place shall remain open to permit early voting each day, with the exception of official State holidays, 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 Code, as amended. Permanent branch and temporary 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.

D. An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board 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 5. Proposition. At the Election the following proposition (the "Proposition") shall be submitted to the qualified voters of the School District in accordance with law:

PROPOSITION NO. 1

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE BROADDUS INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$7,500,000 FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING THE REHABILITATION, RENOVATION, EXPANSION AND IMPROVEMENT THEREOF), 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 AS THEY BECOME DUE, AND THE COSTS OF ANY 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, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SUBCHAPTER A OF CHAPTER 45, TEXAS EDUCATION CODE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO, AND OF THE UNITED STATES OF AMERICA?

Section 6. 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.

(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 aforesaid Proposition which shall be set forth on the ballots substantially in the following form:

OFFICIAL BALLOT

PROPOSITION NO. 1

[ ] FOR  
[ ] AGAINST

THE ISSUANCE OF \$7,500,000 SCHOOL BUILDING BONDS FOR CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING THE REHABILITATION, RENOVATION, EXPANSION AND IMPROVEMENT THEREOF), AND THE LEVYING OF THE TAX IN PAYMENT THEREOF

Section 7. Mandatory Statement of Information.

(a) As required by and in accordance with Section 3.009(b)(5) through (9) of the Code, added by the 83rd Texas Legislature, the bonds that are the subject of the Election may be issued to mature over a specified number of years not to exceed 40 years; the District, as of its fiscal year beginning September 1, 2016, had outstanding an aggregate principal amount of debt equal to \$0.00; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$0.00; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.00 per \$100 of taxable assessed valuation. The District estimates an ad valorem debt service tax rate of \$0.30 per \$100 of taxable assessed valuation if the bonds that are subject of the Election are approved and are issued (taking into account the outstanding District bonds and bonds that are the subject of this Election, but not future bond authorizations of the District). This is only an estimate provided for Texas statutory compliance and does not serve as a limitation on any District ad valorem debt service tax rate.

If approved by voters, the bonds will be secured by an ad valorem tax that is 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. Actual tax rates, interest rates, maturity dates, aggregate outstanding indebtedness and interest on such debt, will only be established and known at the time that bonds are issued. In addition, actual tax rates will depend upon, among other factors, the assessed valuation of taxable property, prevailing interest rates, the market for the District's bonds and general market conditions at the time that bonds are issued.

The estimated tax rates and other statements contained in this subsection (b) are (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, the Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to 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 8. Persons Qualified to Vote. All resident, qualified electors of the School District shall be eligible to vote at the Election.

Section 9. Joint Election. The District has agreed to participate in a joint election with the County who is also holding an election on Election Day and has contracted with the County Elections Administrator for election services.

Section 10. Officers. The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties, to negotiate and enter into one or more joint election agreements and/or similar contracts or agreements if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Code, as amended. In addition, the Board authorizes the President of the Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties 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 Board, as evidenced herein.

Section 11. 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 12. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Election Order, in both English and Spanish in San Augustine County, 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 School District, and (ii) by posting a copy of this Election Order on a bulletin board used for posting notices of Board meetings, not later than the twenty-first (21st) day prior to the date set for the Election. Notice of the Election shall also be provided to the County Clerk of San Augustine County, no later than the 60th day before the Election Day.

Section 13. 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 School District's administrative offices for at 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 School 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 14. Authority of Superintendent. The Superintendent of the School District shall have the authority to take, or cause to be taken, all actions reasonable and necessary to insure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed.

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

Section 16. Severability. If any provision, section, subsection, sentence, clause or phrase of this Election Order, or the application of the 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 Election Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the School District in adopting this Election Order that nor 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 Election Order are declared to be severable for that purpose.

Section 17. Effective Date. This Election Order is effective immediately upon its passage and approval.

PASSED AND APPROVED the 9<sup>th</sup> day of February, 2017.

/s/ Jamie Sowell  
President, Board of Trustees  
Broaddus Independent School District

ATTEST:

/s/ James Wells  
Secretary, Board of Trustees  
Broaddus Independent School District

(SEAL)

*EXHIBIT A*

*POLLING LOCATIONS*

Broaddus Community Center  
1011 FM 2558, CR 361  
Broaddus, Texas 75929



**EXHIBIT B**

**EARLY VOTING INFORMATION**

Early voting begins on Monday, April 24, 2017 and ends on Tuesday, May 2, 2017

Early Voting Clerk: Deborah Woods

Early Voting Clerk Address: 225 North Harrison, P.O. Box 873, San Augustine, Texas 75972

Presiding Judge of the Early Voting Ballot Board: Deborah Woods.

**ADDITIONAL EARLY VOTING BY PERSONAL APPEARANCE LOCATIONS**

San Augustine County Elections Administrator Office  
225 North Harrison, P.O. Box 873  
San Augustine, Texas 75972

**Dates: April 24, 2017 – April 28, 2017  
May 1, 2017 - May 2, 2017  
Hours 8:00 am. - 4:00 p.m.**

Broaddus Community Center  
1011 FM 2558, CR 361  
Broaddus, Texas 75929

**Dates: April 24, 2017 – April 28, 2017  
May 1, 2017 - May 2, 2017  
Hours: 9:00 a.m. - 4:00 p.m.**

**EARLY VOTING BY MAIL:**

Applications for voting by mail should be mailed to be received no later than the close of business (4:00 p.m.) on April 25, 2017.

**Applications should be mailed to:**

San Augustine County Elections Administrator Office  
Attention: Early Voting Clerk  
225 North Harrison, P.O. Box 873  
San Augustine, Texas 75972