

**AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE DEVINE INDEPENDENT SCHOOL DISTRICT, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION**

WHEREAS, the Board of Trustees (the *Board*) of the DEVINE INDEPENDENT SCHOOL DISTRICT (the *District*), located in Medina and Frio Counties, Texas (individually, the *County*, collectively, the *Counties*), 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 identified (the *Election*); and

WHEREAS, concurrently with the Election, the District is conducting an election for certain Board trustee positions; and

WHEREAS, the Texas Education Code requires that an election for trustees positions, along with any other District election held concurrently therewith, be conducted jointly with a municipality including territory of the District on Election Day (defined herein); and

WHEREAS, the District anticipates conducting its Board election and the Election jointly with the City of Devine, Texas (the *City*), which is a municipality within the District, on Election Day only (unless the City cancels its election); and

WHEREAS, the District will contract with the Counties to conduct all aspects of the Election; and

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the *Participants*) as provided pursuant to an election services agreement and/or a joint election or similar agreement between or among (as applicable) the District and any Participants, entered into according to the Texas Election Code, as amended (the *Code*); and

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

WHEREAS, the Board hereby finds and determines that the anticipated capital improvements identified in Measure A and corresponding Proposition A may be submitted to the qualified voters of the District as a single measure and corresponding proposition pursuant to Section 45.003(g) of the Texas Education Code because these capital improvements will be predominantly used for educational and administrative purposes, none of which are the type of facilities described in Section 45.003(g)(1-6); and

WHEREAS, the Board hereby finds and determines that the anticipated capital improvements identified in Measure C and corresponding Proposition C must be submitted to the qualified voters of the District as an additional measure and corresponding proposition because these facilities are the type of facilities described in Section 45.003(g)(3) of the Texas Education Code; and

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

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE DEVINE INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1. The Election shall be held in the DEVINE INDEPENDENT SCHOOL DISTRICT on May 6, 2023 (*Election Day*), which is a uniform election date under the Code and is 78 or more days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following measures to the qualified voters of the District:

MEASURE A

Shall the Board of Trustees of the Devine Independent School District be authorized to issue and sell bonds of the District, in one or more series, in the aggregate principal amount of not more than \$31,000,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, modernizing, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), with priority given to safety, security, and District-wide renovations, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District 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?

MEASURE B

Shall the Board of Trustees of the Devine Independent School District be authorized to issue and sell bonds of the District, in one or more series, in the aggregate principal amount not to exceed \$1,200,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school recreational and extracurricular facilities, including new tennis courts, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District 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?

SECTION 2. One or more District 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 District election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). In compliance with the Code, the Counties will appoint Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election. The District’s Superintendent of Schools, the President of the Board of Trustees, or their designees can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Counties, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations must include a person fluent in the Spanish language.

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. The main early voting location shall remain open to permit early voting on the days and at the times 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 Code. If any permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices will be identified in Exhibit B hereto.

The Counties are authorized to establish Early Voting Ballot Boards and to designate the Presiding Judges of the Early Voting Ballot Board. The Presiding Judges of the Early Voting Ballot Boards shall appoint two or more additional members to constitute the Early Voting Ballot Boards’ members and, if needed, the Signature Verification Committees members required to efficiently process the early voting ballots.

SECTION 3. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance, and when required by the Code, at least one accessible voting system per polling place will be provided. Certain early voting may be conducted by mail according to the Code.

SECTION 4. The Counties are authorized to utilize a Central Counting Station (the *Station*) as provided by the Code.

SECTION 5. The official ballot shall be prepared according to the Code so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measures that shall appear on the ballot substantially as follows:

PROPOSITION A

THE ISSUANCE OF \$31,000,000 OF BONDS BY THE DEVINE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, WITH PRIORITY GIVEN TO SAFETY, SECURITY, AND DISTRICT-WIDE

RENOVATIONS, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.  
THIS IS A PROPERTY TAX INCREASE.

PROPOSITION B

THE ISSUANCE OF \$1,200,000 OF BONDS BY THE DEVINE INDEPENDENT SCHOOL DISTRICT FOR NEW SCHOOL TENNIS COURTS AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.

SECTION 6. All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted according to the Code and other applicable law. To the extent required by law, materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7. Notice of election, including a Spanish translation thereof, shall be published at least one time in a newspaper of general circulation in the District, with such publication occurring not more than 30 days and not less than 10 days before Election Day. Moreover, a substantial copy of this Order and the voter information attached to and incorporated herein for all purposes, including a Spanish translation thereof, shall be posted (a) not less than 21 days prior to Election Day (1) on the bulletin board used for posting notices of Board meetings, (2) in three additional public places within the District's boundaries, (3) in a prominent location on the District's internet website, and (b) in a prominent location at each polling place on Election Day and during early voting. A sample ballot shall be posted on the District's internet website not less than 21 days prior to Election Day.

SECTION 8. As of the date of this order, the District had outstanding an aggregate principal amount of debt equal to \$10,380,000 (including maintenance tax debt, if any); the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$3,516,613; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.2400 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board's adoption of this Order, the maximum interest rate for any series of bonds authorized at the Election is 4.15% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Board authorizes the District's President of the Board of Trustees, the Superintendent of Schools, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the Counties and any Participants if desired or if required to comply with applicable law, as permitted and in

accordance with the Code. In addition, the Board authorizes the President of the Board of Trustees, the Superintendent of Schools, or their designees 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 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 11. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 12. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.


SECTION 14. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15. This Order shall be in force and effect from and after its final passage, and it is so ordered.

\* \* \*

PASSED AND APPROVED on February 16, 2023.

DEVINE INDEPENDENT SCHOOL DISTRICT

  
\_\_\_\_\_  
Nancy Pepper  
President, Board of Trustees

ATTEST:

  
\_\_\_\_\_  
Keri James  
Secretary, Board of Trustees

(DISTRICT SEAL)



[Signature Page to Bond Election Order]

**Exhibit A (Anexo A)**

**ELECTION DAY MAY 6, 2023 (DÍA DE LA ELECCIÓN 6 DE MAYO DE 2023)**

Election Day Polling Locations open from 7 a.m. to 7 p.m.  
(Lugares de votación del Día de la Elección abiertos de 7 a.m. a 7 p.m.)

<b>District Precinct (Precinto del Distrito)</b>	<b>Polling Place (Lugar de la votación)</b>
1	Medina County Precinct 4 Annex Building 317 TX-132 N., Devine, TX 78016
2	Bigfoot Alternative Center 13777 FM 472, Bigfoot, TX 78005

District's website (*sitio web del distrito*): <https://www.devineisd.org/>

Medina County's website (*Sitio web del Condado de Medina*):  
<https://www.medinacountytexas.org/page/medina.Elections>

Frio County's website (*Sitio web del Condado de Frio*):  
<https://www.co.frio.tx.us/page/frio.Elections>

Presiding Judges and Alternates: to be determined by the Counties.  
(*Jueces Presidentes y Suplentes: a ser determinado por los condados*)

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**Exhibit B (Anexo B)**

**EARLY VOTING (VOTACIÓN ANTICIPADA)**

District's website (sitio web del distrito): <https://www.devineisd.org/>

Applications for voting by mail should be received no later than the close of business on April 25, 2023. (*Las solicitudes de votación por correo deben ser recibidas a más tardar al cierre de operaciones del 25 de abril de 2023*). If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four business days after receiving the emailed or faxed copy. (*Si se envía por fax o correo electrónico una solicitud de boleta por correo (o si se envía por fax una solicitud postal federal), el solicitante también debe enviar la solicitud original para que el secretario de votación anticipada reciba el original a más tardar cuatro días hábiles después de recibir la copia enviada por correo electrónico o por fax.*)

**Medina County (Condado de Medina)**

Medina County Precinct 4 Annex Building, 317 TX-132 N., Devine, TX 78016

April 24-28, 2023	(24-28 de abril de 2023)	8:00 am – 5:00 pm
April 29, 2023	(29 de abril de 2023)	9:00 am – 2:00 pm
May 1-2, 2023	(1-2 de mayo de 2023)	8:00 am – 5:00 pm

County's website (*Sitio web del Condado*): <https://www.medinacountytexas.org/page/medina.Elections>

Applications for ballots by mail should be sent to (*Las solicitudes de boletas por correo deben enviarse a*): Early Voting Clerk (*secretario de votación anticipada*): Lupe Torres; mailing and physical address (*dirección de envío y física*): 1300 Ave. M #108 Hondo, TX 78861; phone (*teléfono*): (830) 741-6104; fax (*fax*): (830) 741-6007; email (*correo electrónico*): [elections@medinacountytexas.org](mailto:elections@medinacountytexas.org).

**Frio County (Condado de Frio)**

Bigfoot Alternative Center, 13777 FM 472, Bigfoot, TX 78005

April 24-28, 2023	(24-28 de abril de 2023)	8:00 am – 5:00 pm
April 29, 2023	(29 de abril de 2023)	9:00 am – 2:00 pm
May 1-2, 2023	(1-2 de mayo de 2023)	8:00 am – 5:00 pm

County's website (*Sitio web del Condado*): <https://www.co.frio.tx.us/page/frio.Elections>

Applications for ballots by mail should be sent to (*Las solicitudes de boletas por correo deben enviarse a*): Carlos E. Segura; mailing and physical address (*dirección de envío y física*): 500 E. San Antonio St., #5 Pearsall 78061; phone (*teléfono*): (830) 334-3975; fax (*fax*): (830) 334-3984; email (*correo electrónico*): [carlos.segura@friocounty.org](mailto:carlos.segura@friocounty.org).





**Exhibit D (Anexo D)**

**VOTER INFORMATION DOCUMENT (DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)**

Devine Independent School District Proposition B:  
(Propuesta B del Distrito Escolar Independiente de Devine)

<input type="checkbox"/> FOR (a favor)  <input type="checkbox"/> AGAINST (en contra)	THE ISSUANCE OF \$1,200,000 OF BONDS BY THE DEVINE INDEPENDENT SCHOOL DISTRICT FOR NEW SCHOOL TENNIS COURTS AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.	LA EMISIÓN DE \$1,200,000 EN BONOS POR PARTE DEL DISTRITO ESCOLAR INDEPENDIENTE DE DEVINE PARA CANCHAS DE TENIS NUEVAS Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR. ESTE ES UN INCREMENTO DEL IMPUESTO A LA PROPIEDAD.
principal of debt obligations to be authorized ( <i>capital de obligaciones de deuda que se autorizará</i> )		\$1,200,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.15% ( <i>interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de 4.15%</i> )		\$895,455
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years ( <i>capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 30 años</i> )		\$2,095,445
as of the date the election was ordered, principal of all outstanding debt obligations ( <i>a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes</i> )		\$10,380,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations ( <i>a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes</i> )		\$3,516,613
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 18 years ( <i>capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 18 años</i> )		\$13,896,613
as of the date the election was ordered, the ad valorem debt service tax rate per \$100 of taxable assessed valuation ( <i>a partir de la fecha en que se ordenó la elección, la tasa impositiva del servicio de la deuda ad valorem por cada \$100 de valuación tasada imponible</i> )		\$0.2400
<p>estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved (<i>aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba</i>).</p> <p>This figure assumes application of a homestead exemption of \$40,000. (<i>Esta cifra asume la aplicación de una exención de vivienda familiar de \$40,000</i>).</p> <p>As noted above, this figure makes conservative assumptions about the amortization period of the debt obligations and the estimated interest rate. (<i>Como se señaló anteriormente, esta cifra hace suposiciones conservadoras sobre el período de amortización de las obligaciones de deuda y la tasa de interés estimada.</i>)</p> <p>This figure assumes 5.0% NAV growth in FYE 2024 and 0.0% NAV growth thereafter. (<i>Esta cifra supone un crecimiento del NAV del 5,0 % en el año fiscal 2024 y un crecimiento del NAV del 0,0 % a partir de entonces.</i>)</p>		\$4.27