

POSTED

SEP 02 2020

NOTICE OF ELECTION

STATE OF TEXAS §
COUNTIES OF LAVACA AND GONZALES §
SHINER INDEPENDENT SCHOOL DISTRICT §

LONA ACKMAN
COUNTY CLERK, GONZALES COUNTY TEXAS
BY *[Signature]* DEPUTY

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

TAKE NOTICE that an election will be held in the Shiner Independent School District on November 3, 2020, in obedience to an order duly entered by the Board of Trustees of Shiner Independent School District dated August 17, 2020, which order reads substantially as follows:

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

WHEREAS, the Shiner Independent School District (*the "District"*) is a political subdivision of the State of Texas (*the "State"*) and on February 12, 2020, the Board of Trustees of the District (*the "Board"*) approved an Order Calling School Building Bond Election (*the "Original Order"*) to be held within the boundaries of the District on May 2, 2020; and

WHEREAS, on March 13, 2020, the Governor of the State, Greg Abbot (*the "Governor"*) certified that the novel coronavirus (COVID- 19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016, Texas Government Code, the Governor issued a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code to allow all local political subdivisions that were utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date; and

WHEREAS, the Board approved an Order Declaring Postponement of May 2, 2020 Election (*the "Postponement Order"*) on April 8, 2020; and

WHEREAS, the Postponement Order was posted on the District's website on April 14, 2020; and

WHEREAS, pursuant to the Original Order, the District has the power to issue bonds; and

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

WHEREAS, it is hereby officially found and determined that said Election shall be held on 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 refinance property financed under a contract entered under Subchapter A, Chapter 271 of the Texas Local Government Code; and

WHEREAS, the Board, pursuant to the applicable provisions of the Code, has agreed to enter into a joint election agreement with Lavaca County, Texas and Gonzales County (individually the "County," collectively the "Counties") and the Lavaca County Clerk and the Gonzales County Clerk (the "County Clerks") 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 SHINER 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 District on November 3, 2020 (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 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 November 3, 2020 shall be from 7:00 a.m. to 7:00 p.m.

Section 3. Election Precinct, Voting Location and Voting Hours on Election Day. 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 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 A, attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the County Clerk. 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 County 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 District in accordance with law:

SHINER INDEPENDENT SCHOOL DISTRICT PROPOSITION A

"SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE SHINER INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$1,980,000 FOR ACQUISITION OF PROPERTY OR THE REFINANCING OF PROPERTY FINANCED UNDER A CONTRACT ENTERED UNDER SUBCHAPTER A, CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, 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

SHINER INDEPENDENT SCHOOL DISTRICT
PROPOSITION A

[] FOR

[] AGAINST

THE ISSUANCE OF \$1,980,000 SCHOOL BUILDING BONDS FOR ACQUISITION OF PROPERTY OR THE REFINANCING OF PROPERTY FINANCED UNDER A CONTRACT ENTERED UNDER SUBCHAPTER A, CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS: THIS IS A PROPERTY TAX INCREASE. PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE.

Lettering of the Proposition are subject to change as required by the County Clerk, Voting Clerk, Superintendent or Presiding Judge.

Section 7. Mandatory Statement of Information.

As required by and in accordance with Section 3.009(b)(5) through (9) of the Texas Election Code, the District, as of its fiscal year beginning September 1, 2019, had outstanding an aggregate principal amount of debt equal to \$2,695,000.00; the aggregate amount

of the interest owed on such District debt obligations, through respective maturity, totaled \$493,850.00; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.0701 per \$100 of taxable assessed valuation. The District estimates an ad valorem debt service tax rate of \$0.0701 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. 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 5%. 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 10-year period from their respective date of issue. The foregoing estimated 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.

The findings contained in this Section are only estimates provided for Texas statutory compliance and do not serve as a cap on any District ad valorem debt service tax rate. 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 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 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 8. Persons Qualified to Vote. All resident, qualified electors of the 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 City of Shiner also holding an election on Election Day and has contracted with the County 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 in English and Spanish by (i) publishing a substantial copy of this Election Order 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) posting a copy of this Election Order on the bulletin board used for posting notices of Board of Trustees meetings and in three public places within the boundaries of the District not later than the 21st day prior to the date set for the Election; (iii) posting a copy of this Election Order on Election Day and during early voting by personal appearance in a prominent location at each polling place; and (iv) posting this Election Order, together with the notice of Election and the contents of the Proposition, on the District's website during the 21 days before the Election. A voter information document for the Proposition will also be posted in the same manner described in the two immediately preceding sentences, except that such documents need not be posted on the bulletin board used for posting notices of meetings of the Board, see Exhibit C hereto.

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 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 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 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 District in adopting this Election 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 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.

[Remainder of page intentionally left blank]

PASSED AND APPROVED the 17th day of August 2020.


President, Board of Trustees
Shiner Independent School District

ATTEST:


Secretary, Board of Trustees
Shiner Independent School District

(SEAL)

EXHIBIT A

LAVACA COUNTY PRECINCTS

Precinct 9

Shiner Baptist Church
120 W. 15th Street
Shiner, Texas 77984

Precinct 12

Blasé's Place
4228 US Hwy 90-A West
Hallettsville, Texas 77964

Precinct 15

Daniel Pohl's Shop
5072 FM 1891
Shiner, Texas 77984

Precinct 23

Moulton Community Center
102 Veterans Drive
Moulton, Texas 77975

Precinct 29

Shiner Public Library
115 E Wolters 2nd St
Shiner, TX 77984

GONZALES COUNTY PRECINCTS

Precinct 1

Randle-Rather Building—Election Room
427 St. George St.
Gonzales, Texas

Precinct 11

Peach Valley Camp—Election Room
582 CR 357
Gonzales, Texas

[The remainder of this page intentionally left blank]

EXHIBIT B

EARLY VOTING INFORMATION

Early voting begins on Tuesday, October 13, 2020 and ends on Friday, October 30, 2020.

Lavaca County

Early Voting Clerk: Gwen Holt

Early Voting Clerk Address: 412 N. Texana, P.O. Box 727, Hallettsville, TX 77964

Deputy Early Voting Clerks: Diana Goodall

Presiding Judge of the Early Voting Ballot Board: Elaine Berkovsky

EARLY VOTING BY PERSONAL APPEARANCE LOCATIONS

Lavaca County Courthouse Annex
412 N. Texana
Hallettsville, TX 77964

**Dates: October 13, 2020 – October 30, 2020
October 17, 2020 and October 24, 2020
Hours 8:00 am. - 5:00 p.m.**

**October 13, 2020, October 19, 2020, October 26, 2020
Hours 7:00 am. – 7:00 p.m.**

EARLY VOTING BY MAIL:

Applications for voting by mail should be mailed to be received no later than the close of business on October 23, 2020.

Applications should be mailed to:

Lavaca County Elections Administrator
Attention: Early Voting Clerk, Gwen Holt
P.O. Box 727
Hallettsville, TX 77964

****[Preliminary, subject to change by Lavaca County and Gonzales County pursuant to Election Service Contract]***

Early voting begins on Tuesday, October 13, 2020 and ends on Friday, October 30, 2020.

Gonzales County

Early Voting Clerk: County Clerk Lona Ackman

Early Voting Clerk Address: Gonzales County Clerk Lona Ackman 427 St. George, Suite 200, Gonzales, TX 78629

Deputy Early Voting Clerks: Ronald Devries, Judi Hewett, D'Ann Proctor, Leslie Bird, Nancy Amaya, Missy Dirks, Sheri Wuest, Louisa Estrada, Helen McGregor, Christy Horstman, Carly Russell, Jackie Cardova, Ashley Boedeker, Tina Stevens, Donna Simper, and Marti Macias.

Presiding Judge of the Early Voting Ballot Board: Keith Schmidt

EARLY VOTING BY PERSONAL APPEARANCE LOCATIONS

Randle-Rather Building—EV Election Room
427 St. George St.
Gonzales, Texas

City Hall Nixon—EV Election Room
100 W. 3rd St.
Nixon, Texas

City Hall Waelder—EV Election Room
300 Hwy 90W
Waelder, Texas

Dates: October 13, 2020 – October 30, 2020
Hours 8:00 am. – 4:45 p.m.

October 26, 2020, October 27, 2020
Hours 7:00 am. – 7:00 p.m.
Gonzales location only

EARLY VOTING BY MAIL:

Applications for voting by mail should be mailed to be received no later than the close of business on October 23, 2020.

Applications should be mailed to:

Gonzales County Clerk
Lona Ackman
427 St. George St., Suite 200
Gonzales, Texas 78629

****[Preliminary, subject to change by Lavaca County and Gonzales County pursuant to Election Service Contract]***

Exhibit C

VOTER INFORMATION DOCUMENT

SHINER INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

)
)
)
 FOR)
)
)
)
)
)
 AGAINST)
)
)
)
)
)
)

THE ISSUANCE OF \$1,980,000 SCHOOL BUILDING BONDS FOR ACQUISITION OF PROPERTY OR THE REFINANCING OF PROPERTY FINANCED UNDER A CONTRACT ENTERED UNDER SUBCHAPTER A, CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS: THIS IS A PROPERTY TAX INCREASE. PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE.

| | |
|--|-------------------------------|
| 1. Principal of the debt obligations to be authorized | \$1,730,000 |
| 2. Estimated interest for the debt obligations to be authorized | \$245,567 |
| 3. Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized | \$1,975,567 |
| 4. As of the date of the adoption of the District's Election Order, the aggregate amount of outstanding principal of the District's outstanding debt obligations | \$2,400,000 |
| 5. As of the date of the adoption of the District's Election Order, the aggregate amount of outstanding interest on the District's outstanding debt obligations | \$387,900 |
| 6. As of the date of the adoption of the District's Election Order, the estimated combined principal and interest on the District's outstanding debt obligations | \$2,787,900 |
| 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 | \$ 0 |
| 8. Other information that the District considers relevant or necessary to explain the information | See assumptions below. |

| Tax Year Ending | Taxable Assessed Valuation | Outstanding Debt Service | 2020 Bond Proposition | Total Debt Service |
|------------------------|-----------------------------------|---------------------------------|------------------------------|---------------------------|
| 08/31/2021 | \$ 690,000,000 | \$ 399,150 | \$ - | \$ 399,150 |
| 08/31/2022 | 690,000,000 | 396,950 | 86,477 | 483,427 |
| 08/31/2023 | 690,000,000 | 399,350 | 84,226 | 483,576 |
| 08/31/2024 | 690,000,000 | 396,150 | 88,995 | 485,145 |
| 08/31/2025 | 690,000,000 | 397,550 | 88,695 | 486,245 |
| 08/31/2026 | 690,000,000 | 398,350 | 88,365 | 486,715 |
| 08/31/2027 | 690,000,000 | 400,400 | 82,969 | 483,369 |
| 08/31/2028 | 690,000,000 | | 487,540 | 487,540 |
| 08/31/2029 | 690,000,000 | | 483,800 | 483,800 |
| 08/31/2030 | 690,000,000 | | 484,500 | 484,500 |

Major Assumptions for Exhibit C:

- (1) May Election was postponed due to COVID-19. If November election passes, some Bonds approved by the voters may go unissued due to lower existing debt service to retire due to six-month delay and subsequent payments. Above numbers assume 1/15/21 issuance date.
- (2) Flat or 0% future TAV growth – assumptions are at TAV of \$690,000,000 in Tax Year 2020-21 fiscal year ending 8/31/21 through 8/31/30.
- (3) Assumed tax collection of 98%.
- (4) Assumed interest rate of the proposed debt obligations: 1.6%.
- (5) Assumes no material change in the prevailing market and economic conditions at the time of issuance of the proposed debt obligations.
- (6) Assumes the proposed debt obligations are paid on time and in full.
- (7) It is the goal of the district to structure I&S debt service schedule at closing to stay at or under current I&S tax rate of \$.0701, based on market interest rate conditions at the time of sale.

The estimates contained in this voter information document 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 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 do not give rise to a contract with voters or limit the authority of the District to issue bonds in accordance with the Propositions submitted by the District's Election Order.