

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

STATE OF TEXAS	§
	§
COUNTY OF HIDALGO	§
	§
DONNA INDEPENDENT SCHOOL DISTRICT	§

WHEREAS, the Board of Trustees (the “Board”) of the DONNA INDEPENDENT SCHOOL DISTRICT (the “District”), located in Hidalgo County, Texas (the “County”), 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, the District will contract with the Elections Administrator of Hidalgo County (the “Election Administrator or Administrator”) to conduct all aspects of the Election; and

WHEREAS, the Election will be held jointly with other political subdivisions for which the County is also conducting their elections (such other political subdivisions, collectively, the Participants), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, the County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code (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 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 DONNA INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the DONNA INDEPENDENT SCHOOL DISTRICT on the 6th day of May 2023 (“Election Day”), which is a uniform election date under the Texas Election 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 propositions to the qualified voters of the District:

Proposition A

Shall the Board of Trustees (“Board”) of the Donna Independent School District (“District”) be authorized to issue and sell bonds of the District, in one or more series, in the aggregate principal amount not to exceed \$120,000,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities in the District, 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 and the cost of any credit agreements executed in connection with the bonds?

SECTION 2: One or more school 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 Administrator will appoint 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, the Administrator, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. To the extent required by the Texas Election 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 locations are 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. These offices or places 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 provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrators, as identified in Exhibit B hereto.

The District authorizes the Administrator to establish an Early Voting Ballot Board for the purpose of processing early voting results and to designate the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two resident qualified voters of the District to serve as members of each such Early Voting Ballot Board.

SECTION 3: 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). Pursuant to Section 61.012, as amended, Texas 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. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4: The District authorizes the Administrator to utilize a Central Counting Station (the “Stations”) as provided by Section 127.001, et seq., as amended, of the Code. The Administrator, or designees thereof, is hereby appointed as the Manager of their respective Stations who will establish a written plan for the orderly operation of the Stations in accordance with the provisions of the Code. The Board authorizes the Administrator, or the designees thereof, to appoint the Presiding Judges, the Tabulation Supervisors, and the Programmers of their respective Stations and may appoint Station clerks as needed or desirable. The Administrator will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for their respective Stations in accordance with the provisions of the Texas Election Code.

SECTION 5: The official ballots shall be prepared in accordance with the provisions of the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid propositions which shall appear on the ballots substantially as follows:

OFFICIAL BALLOT

DONNA INDEPENDENT SCHOOL DISTRICT

PROPOSITION A

[] FOR	THE ISSUANCE OF \$120,000,000 OF SCHOOL BUILDING BONDS BY THE DONNA INDEPENDENT SCHOOL DISTRICT FOR THE CONSTRUCTION, RENOVATION, ACQUISITION AND EQUIPMENT OF SCHOOL FACILITIES WITHIN THE DISTRICT AND RELATED INFRASTRUCTURE AND THE LEVYING OF A TAX IN PAYMENT THEREOF. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003 TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.
[] AGAINST	

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 place. The Election shall be held and conducted in accordance with the provisions of the Code, except as modified by the provisions of the Code, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7: A substantial copy of this Order shall serve as proper notice of the Election. This notice, 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. Additionally, this notice and the voter information incorporated

herein for all purposes as Exhibit C, including a Spanish translation thereof, shall be posted (a) not less than 21 days prior to Election Day (i) on the bulletin board used for posting notices of Board meetings, (ii) in three public places within the District's boundaries, (iii) 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 required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Code, 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, 2022, had outstanding an aggregate principal amount of debt equal to \$52,580,000 (this amount represents I&S debt only); the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$17,794,462; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.1296 per \$100 of taxable assessed valuation. The District estimates an ad valorem debt service tax rate of \$0.2300 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 5.50%. 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 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.

SECTION 9: 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, election services contracts, and/or similar contracts or agreements with the County, acting by and through the Administrator, and any Participants if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the Board authorizes the President, 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. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Trustees.

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.

/s/ Jose R. Reyna
Secretary, Board of Trustees

/s/ Jose L. Valdez
President, Board of Trustees

EXHIBIT A

ELECTION DAY SITES

Election Day Voting in the District shall be conducted on the 6th day of May, 2023, 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.

District's Website: www.donnaisd.net

County's Website: www.elections@co.hidalgo.tx.us

<u>Precinct No.</u>	<u>Location</u>
45, 87, 163, and 157	W.A. Todd Middle School Gymnasium 400 North Salinas Boulevard Donna, Texas
176, 251, and 255	Sgt. Fernando de la Rosa Library 416 North Tower Road Alamo, Texas

EXHIBIT B

EARLY VOTING POLLING PLACES AND TIMES

District's Website: www.donnaisd.net

County's Website: www.elections@co.hidalgo.tx.us

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

MAIN EARLY VOTING SITE

<u>Location</u>	<u>Dates</u>	<u>Times</u>
Amigos Del Valle 1408 Silver Avenue Donna, Texas	Monday, April 24, 2023	7:00 am to 7:00 pm
	Tuesday, April 25, 2023 through Friday, April 28, 2023	8:00 am to 6:00 pm
	Saturday, April 29, 2023	7:00 am to 7:00 pm
	Monday, May 1, 2023	8:00 am to 6:00 pm
	Tuesday, May 2, 2023	7:00 am to 7:00 pm
Sgt. Fernando de la Rosa Library 416 North Tower Road Alamo, Texas	Monday, April 24, 2023	7:00 am to 7:00 pm
	Tuesday, April 25, 2023 through Friday, April 28, 2023	8:00 am to 6:00 pm
	Saturday, April 29, 2023	7:00 am to 7:00 pm
	Monday, May 1, 2023	8:00 am to 6:00 pm
	Tuesday, May 2, 2023	7:00 am to 7:00 pm

Early Voting By Mail

Applications for voting by mail should be received no later than the close of business (5:00 pm) on May 8, 2023. Applications should be sent to:

Early Voting Clerk _____
213 South Closner Boulevard
Edinburg, Texas 78539
Telephone: 956-318-2570
Fax: 956-393-2039
Email: www.elections@co.hidalgo.tx.us

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 days after receiving the emailed or faxed copy.

EXHIBIT C

VOTER INFORMATION DOCUMENT

The language that will appear on the ballot for this proposition is as follows:

PROPOSITION A

FOR **THE ISSUANCE OF \$120,000,000 OF SCHOOL BUILDING BONDS BY THE DONNA INDEPENDENT SCHOOL DISTRICT FOR THE CONSTRUCTION, RENOVATION, ACQUISITION AND EQUIPMENT OF SCHOOL FACILITIES WITHIN THE DISTRICT AND RELATED INFRASTRUCTURE AND THE LEVYING OF A TAX IN PAYMENT THEREOF. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003 TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.**

AGAINST

Principal of the Bonds to be Authorized	Estimated Interest for the Bonds to be Authorized	Estimated Combined Principal and Interest for the Bonds to be Authorized	As of February 14, 2023, Principal of All Outstanding Tax Debt Obligations of the District	As of February 14, 2023, Estimated Remaining Interest Due on All Outstanding Tax Debt Obligations of the District	As of February 14, 2023, Estimated Combined Principal of and Interest Due on All Outstanding Tax Debt Obligations of the District
\$120,000,000	\$113,928,986	\$233,928,986	\$48,950,000	\$15,719,412	\$64,669,412

The 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 certain assumptions is: \$100.40.

The major assumptions made in connection with the above statement include: (1) amortization of 30 years of the District’s debt obligations including outstanding debt obligations and debt obligations (2) 2% growth in appraised values in fiscal years 2024 through 2027 and (3) an assumed interest rate of 4.84% on the proposed debt.

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 and 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 projects, (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 projects will be realized, and (iv) not intended to and does 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.