

ORDER

AN ORDER BY THE COMMISSIONERS COURT OF DEAF SMITH COUNTY, TEXAS, ORDERING A BOND ELECTION TO BE HELD ON NOVEMBER 5, 2019; PROVIDING FOR THE CONDUCT OF THE ELECTION; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, the Commissioners Court (the "Commissioners Court") of Deaf Smith County, Texas (the "County") finds and determines that an election should forthwith be called and held in the County for the purpose of submitting a proposition for the issuance of bonds for the purposes herein set forth; and

WHEREAS, the Commissioners Court finds and declares that the meeting at which this Order is considered is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code;

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF DEAF SMITH COUNTY, TEXAS:

Section 1. Findings. The statements contained in the preamble of this Order are true and correct and are adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Proposition. An election shall be held in the County on November 5, 2019 ("Election Day"), at which election the following proposition shall be submitted in accordance with law:

PROPOSITION A

Shall the Commissioners Court of Deaf Smith County, Texas, be authorized to issue and sell the bonds of said County in the aggregate principal amount of \$36,200,000, for the public purpose of constructing a law enforcement center, including sheriff's office and jail; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

Section 3. Official Ballots. The official ballots for the election shall be prepared in accordance with the Texas Election Code (the "Code") so as to permit the electors to vote "FOR" or "AGAINST" on the proposition with the ballots to contain such provisions, markings and language as required by law, and with such proposition to be expressed substantially as follows.

PROPOSITION A

FOR () THE ISSUANCE OF \$36,200,000 TAX BONDS FOR LAW ENFORCEMENT CENTER.

AGAINST ()

Section 4. Conduct of Election; Polling Locations; Voting Hours; Voting by Mail.

(a) The election shall be held on Election Day from 7:00 AM to 7:00 PM at the polling places set forth below:

Caviness Sportsplex
525 S. Kingwood
Hereford TX 79045
Precinct 1

Deaf Smith County Courthouse
235 E. 3rd Street
Hereford, TX 79045
Precinct 2

Hereford Senior Citizens Center
426 Ranger Street
Hereford TX 79045
Precinct 3

Hereford Community Center
100 Ave. C
Hereford, TX 79045
Precinct 4

(b) Early voting by personal appearance shall be conducted at the Deaf Smith County Courthouse, 235 East 3rd Street, Hereford, Texas, during the period early voting is required or permitted by law, being October 21, 2019 through November 1, 2019; the hours designated for early voting by personal appearance shall be from 8:00 a.m. to 5:00 p.m. on each day except Saturdays, Sundays and legal state holidays; and the early voting clerk shall keep said early voting place open during such hours for early voting by personal appearance. The early voting clerk for said election shall be Rachel Garman.

(c) An early ballot board is hereby created to process early voting results, and the Early Voting Clerk is hereby authorized to appoint a presiding judge of said board. The presiding judge shall appoint at least two other members of the board.

(d) Applications for voting by mail for all residents of the County shall be mailed to: Early Voting Clerk, 235 East 3rd Street, Rm 203, Hereford, TX 79045, and must be received by October 25, 2019. If application to vote by mail is made by personal delivery, the application must be delivered by close of business on Friday, October 18, 2019 to Early Voting Clerk, 235 East 3rd Street, Rm 203, Hereford, TX 79045.

Section 5. Election Officers. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the County Clerk in accordance with the Code. The County Clerk may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

Section 6. Persons Qualified to Vote. All resident qualified electors of said County shall be permitted to vote in said election.

Section 7. Required Information. In accordance with the provisions of Section 3.009(b), Texas Election Code, it is hereby found and determined that:

- (a) The proposition language that will appear on the ballot is set forth in Section 3 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 2 hereof.
- (c) The principal amount of the bonds to be authorized is set forth in Sections 2 and 3 hereof.
- (d) As set forth in Sections 2 and 3 hereof, if the bonds are approved by the voters, the Commissioners Court will be authorized to levy annual ad valorem taxes on all taxable property in the County, within the limits prescribed by law, sufficient to pay the annual principal of and interest on the bonds and provide a sinking fund to pay the bonds at maturity.
- (e) Based upon the bond market conditions at the date of adoption of this Order, the maximum interest rate for any series of the bonds is estimated to be 5% as calculated in accordance with applicable law. Such estimate is based on advice received from the County's financial advisor, which advice takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. 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.
- (f) As set forth in Section 2 hereof, if the bonds are approved, they may be issued in one or more series over a period not to exceed 40 years.
- (g) The aggregate amount of the outstanding principal of the County's debt obligations which are secured by ad valorem taxes as of the beginning of the County's 2018-2019 fiscal year and as of the date hereof is \$0.
- (h) The aggregate amount of the outstanding interest of the County's debt obligations which are secured by ad valorem taxes as of the beginning of the County's 2018-2019 fiscal year and as of the date hereof is \$0.
- (i) The ad valorem debt service tax rate for the County for the 2018-19 fiscal year is \$0.00 per \$100 of taxable assessed valuation.

Section 8. Effective Date. In accordance with the provisions of Texas Government Code, Section 1201.028, this Order shall be effective immediately upon its adoption by the Commissioners Court.

[Execution page follows]

APPROVED AND ADOPTED THIS AUGUST 13, 2019.

ATTEST:



D.J. Wagner, County Judge



Rachel Garman, County Clerk

[SEAL]

