

**NOTICE OF ELECTION**

TO THE RESIDENT, QUALIFIED VOTERS OF THE  
LUMBERTON INDEPENDENT SCHOOL DISTRICT

TAKE NOTICE that an election will be held in the Lumberton Independent School District on November 5, 2019 CONCERNING THE ISSUANCE OF SCHOOL BUILDING BONDS AND THE LEVYING OF A TAX IN PAYMENT THEREOF, ALL in obedience to an order duly entered by the Board of Trustees of the Lumberton Independent School District on August 8, 2019, which order reads substantially as follows:

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

<b>STATE OF TEXAS</b>	<b>§</b>
<b>COUNTY OF HARDIN</b>	<b>§</b>
<b>LUMBERTON INDEPENDENT</b>	<b>§</b>
<b>SCHOOL DISTRICT</b>	<b>§</b>

**WHEREAS**, the Board of Trustees (the “Board”) of the LUMBERTON INDEPENDENT SCHOOL DISTRICT (the “District”), located in Hardin 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 enter into an election services contract with the County, by and through its County Clerk (the “County Clerk”) in accordance with the provisions of Subchapter D of Chapter 31, as amended, Texas Election Code, or other applicable law, pursuant to which the County will assist with certain aspects of the Election on the District's behalf; and

**WHEREAS**, as certain political subdivisions also may be conducting elections jointly with the County (such other political subdivisions, collectively, the “Participants”), the District may execute a Joint Election Agreement with the County and/or said Participants as authorized and entered into in accordance with the provisions of §271.002, as amended, Texas Election Code;

**WHEREAS**, the Board hereby finds and determines that the necessity to construct various capital improvements within the District necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation 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;

**WHEREAS**, the meeting of this Board of Trustees at which this Order was adopted was open to the public and public notice of the date, time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE LUMBERTON INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the LUMBERTON INDEPENDENT SCHOOL DISTRICT on the 5<sup>th</sup> day of November, 2019 (“Election Day”), which is a uniform election date under the Texas Election Code, as amended, and is 78 or more days from the date of the adoption of this order (the “Order”), for the purpose of submitting the following proposition to the qualified voters of the District:

LUMBERTON INDEPENDENT SCHOOL DISTRICT  
*(entity ordering the election)*

PROPOSITION A

"Shall the Board of Trustees of the Lumberton 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 \$78,800,000, for the purpose of paying for and financing the construction and equipping of new school buildings and for renovating, improving, expanding, upgrading, making additions to, rehabilitating and equipping existing school buildings in the District, to include the following school building projects in such order of priority as determined by the Board of Trustees of the District, to-wit:

- (1) additions or renovations to the existing Early Childhood campus including play gym, classrooms, renovations of library, placement of additional parking and demolition of existing construction;
- (2) traffic circulation improvements at the Primary School and Intermediate School campuses including drives, signage and gates;
- (3) convert existing Intermediate School to Middle School and construct new Middle School music building;
- (4) renovate portions of existing Middle School, construct new addition to convert campus to Intermediate School and demolish portion of existing Middle School building;
- (5) construct addition to the Career and Technology building;
- (6) construct and equip throughout the District additional safety and security upgrades;
- (7) construct throughout the District parking lot improvements;
- (8) construct throughout the District additional infrastructure improvements;

and with any remaining surplus funds, if any, to be used for contingency and for the construction of new school buildings and for renovation, additions to, improving and equipping of any other existing school buildings, school facilities and any school campus grounds in the District; which bonds may be issued in various series or issues, may be sold at any price or prices, shall mature serially or otherwise and bear interest at such rate or rates (fixed, variable, floating, adjustable

or otherwise) as shall be determined by the Board of Trustees of the District within its discretion at the time of issuance, but not to exceed the maximum maturity dates and interest rates now or hereafter authorized by law at the time of issuance; and shall the Board of Trustees 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 said bonds as they become due and the cost of credit agreements, if any, executed in connection with the bonds, all as authorized by the Constitution and the laws of the State of Texas?"

**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 school election precincts as identified in **Exhibit "A"** to this Order (which is incorporated herein by reference for all purposes). At least 79 days prior to the scheduled Election Day, or as soon thereafter as is reasonably practicable, the President, Board of Trustees, the Superintendent of Schools, or the respective designees thereof, in coordination with the County Clerk, 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 exhibit to this Order based upon the final locations and times agreed upon by the District, the County Clerk, and other Participants, if any and as applicable, to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the District to act as clerks in order to properly conduct the Election. 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. Early voting in the election by personal appearance shall occur on each weekday from October 21, 2019, through November 1, 2019, which is not an official state holiday; and, on Saturday, October 26, 2019 and Sunday, October 27, 2019. The early voting clerk shall keep the early voting place open between the hours of 8:00 a.m. to 5:00 p.m. on October 21, 2019, through November 1, 2019, and on Saturday, October 26, 2019 and Sunday, October 27, 2019. The clerk for early voting shall be Glenda Alston. Early voting by personal appearance shall be conducted at the Hardin County Courthouse, 300 W. Monroe Street, Kountze, Hardin County, Texas. The early clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is P.O. Box 38 Kountze, Texas 77625. Election Day voting held on November 5, 2019 from 7:00 a.m. to 7:00 p.m. will be conducted at the polling places as set forth in **Exhibit "A"**.

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 County Clerk.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. Glenda Alston is designated 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 resident qualified voters of the District to serve as members of the Early Voting Ballot Board.

SECTION 3: The Election shall be conducted on Election Day by the use of paper ballots with the County's Hart Intercivic Verify voting system. Paper ballots also shall be used for early voting by personal appearance. Pursuant to §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 shall also utilize a Central Counting Station (the "Station") as provided by §127.001, *et seq.*, as amended, Texas Election Code. The County Clerk, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the County Clerk, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The County Clerk 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 the Station in accordance with the provisions of the Texas Election Code.

SECTION 5: The official ballot 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 proposition which shall appear on the ballot substantially as follows:

LUMBERTON INDEPENDENT SCHOOL DISTRICT  
PROPOSITION A

- |         |     |   |
|---------|-----|---|
| FOR     | ( ) | "THE ISSUANCE OF \$78,800,000 OF LUMBERTON INDEPENDENT SCHOOL DISTRICT UNLIMITED TAX SCHOOL BUILDING BONDS AND LEVYING THE TAX  |
| AGAINST | ( ) | IN PAYMENT THEREOF TO PAY FOR AND FINANCE THE CONSTRUCTION AND EQUIPPING OF NEW SCHOOL BUILDINGS AND THE RENOVATION, UPGRADES, EXPANSION AND EQUIPPING OF EXISTING SCHOOL BUILDINGS, INCLUDING, BUT NOT LIMITED TO, ADDITIONS AND RENOVATIONS TO THE EXISTING EARLY CHILDHOOD CAMPUS, DEMOLITION OF BUILDINGS, CONSTRUCTING AND EQUIPPING TRAFFIC CIRCULATION IMPROVEMENTS AT THE PRIMARY SCHOOL AND INTERMEDIATE SCHOOL, CONVERTING INTERMEDIATE SCHOOL TO MIDDLE SCHOOL INCLUDING CONSTRUCTING AND EQUIPPING OF A |

MIDDLE SCHOOL MUSIC BUILDING TOGETHER WITH RENOVATIONS, UPGRADES AND ADDITIONS TO BOTH THE MIDDLE SCHOOL AND INTERMEDIATE SCHOOL AND DEMOLITION OF A PORTION OF THE EXISTING MIDDLE SCHOOL, ADDITION OF A CAREER AND TECHNOLOGY BUILDING, RENOVATIONS, UPGRADES AND ADDITIONS TO SAFETY AND SECURITY, PARKING LOT IMPROVEMENTS AND INFRASTRUCTURE IMPROVEMENTS THROUGHOUT THE DISTRICT."

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 Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by state or federal law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish. The Board hereby finds that holding the Election on such date and for such purpose is in the public interest.

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, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not later than 21 days prior to Election Day, (ii) in three public places within the District's boundaries not later than 21 days prior to Election Day, and (iii) in a prominent location at each polling place on Election Day and during early voting. In addition, during the 21 days prior to Election Day, the District shall, in a prominent manner, maintain such notice on its Internet website. The Secretary of the Board is hereby further directed to provide notice of the election to Hardin County so that the Hardin County Clerk will post notice of the election on the County's internet website and at each polling place location pursuant to House Bill 933, Act of May 23, 2019, 86<sup>th</sup> Leg., R.S. (amending §4.003(b), Election Code). All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

SECTION 8: As required by and in accordance with §3.009(b)(5) and (7) 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 \$3,005,000; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$127,620; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.12 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 4.50% (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 21-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 County Clerk, 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 §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 fact by 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.

YOU WILL, THEREFORE, take notice of all the matters and facts set out in the foregoing Notice of Election.

**Lumberton Independent School District**

**EXHIBIT "A"**  
**ELECTION DAY VOTING**

**PCT 6 Crestwood Baptist Church**  
1150 Hwy 69 S. Kountze, Texas 77625

**PCT 13 Pete Trest Community Center**  
140 E. Chance, Lumberton, Texas 77657

**PCT 16 Parkway Life Church**  
1865 FM 3513, Lumberton, Texas 77657

**PCT 18 Church of Christ**  
90 West Chance Cut-off, Lumberton, Texas 77657

**PCT 19 Keith Road Fire Station**  
8890 Keith Road, Lumberton, Texas 77657