

ORDER CALLING VOTER-APPROVAL TAX RATE ELECTION

STATE OF TEXAS §
COUNTY OF AUSTIN §
BELLVILLE INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the “Board”) of the Bellville Independent School District (the “District”) has adopted the District’s tax rate for the current year (the “Adopted Tax Rate”); and

WHEREAS, Section 26.08(a), Texas Tax Code provides that if the Adopted Tax Rate exceeds the District’s voter-approval tax rate (as described in Section 26.08(n), Texas Tax Code), the registered voters of the District must determine whether to approve the Adopted Tax Rate at an election held for that purpose; and

WHEREAS, in accordance with the requirements of Section 26.08, Texas Tax Code, the Board determines that it is necessary and appropriate to call an election to ratify the Adopted Tax Rate (the “Election”); and

WHEREAS, Section 26.08, Texas Tax Code, prescribes the text of the measure to appear on the ballot for the Election, indicating that the Adopted Tax Rate will result in an “increase” in the amount of maintenance and operations tax revenue for the District for the current year as compared to the preceding year;

WHEREAS, after adjusting for tax rate compression, and the increase in residential homestead exemption under Senate Bill 2 (2nd called session of the 88th Texas Legislature) and compensating adjustments to the state share of funding available to school districts, the Adopted Tax Rate will actually result in a decrease in the amount of maintenance and operations tax revenue for the District for the current year as compared to the preceding year;

WHEREAS, the Board finds that ratification of the Adopted Tax Rate at the Election and the levy thereof would maximize state funding to the District under current funding formulas; and

WHEREAS, pursuant to Section 11.184(b), Texas Education Code, the Board has conducted an efficiency audit before seeking voter approval at the Election; and

WHEREAS, the District may enter into one or more election agreements (the “Election Agreements”) with Austin County, Texas (the “County”), by and through the County’s Election Official (the “Official”), and possibly other political subdivisions, in accordance with the laws of the State of Texas (the “State”) and applicable federal law; and

WHEREAS, the Board finds and declares that the meeting at which this order (the “Election Order”) is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code; now, therefore:

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

Section 1. Call of Election; Date; Eligible Electors; and Hours. The Election shall be held on November 7, 2023 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this Election Order, within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open on Election Day shall be from 7:00 a.m. to 7:00 p.m.

Section 2. Voting Precincts; Polling Places; and Election Officers. Except as otherwise provided herein, the boundaries and territories of the respective county election precincts that are wholly or partially within the territorial boundaries of the District are hereby designated as the voting precincts of the District for the Election and the precinct numbers for the District’s election precincts shall be the corresponding county precinct number of each precinct. The Election Day polling places shall be as shown in **Exhibit A** to this Election Order. The precinct judges and alternate judges for the Election shall be appointed in accordance with the Texas Election Code (the “Election Code”).

In the event that the Superintendent or the Superintendent’s designees shall determine from time to time that (a) a polling place hereafter designated shall become unavailable or unsuitable for such use, or it would be in the District’s best interests to relocate such polling place, or (b) a presiding judge or alternate presiding judge hereafter designated shall become unqualified or unavailable, the Superintendent or the Superintendent’s designees are hereby authorized to designate and appoint in writing a substitute polling place, presiding judge or alternate presiding judge, and correct or modify the exhibits to this Election Order, giving such notice, if any, as is required by the Election Code and as deemed sufficient.

Section 3. Proposition. At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the “Proposition”):

BELLVILLE INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

“Shall the Board of Trustees of the Bellville Independent School District be authorized to levy an ad valorem tax rate of \$0.9712 per \$100 of the taxable assessed valuation of property within the Bellville Independent School District for the current tax year, being a rate that is comprised of a maintenance and operations tax rate of \$0.7777 per \$100 of such taxable assessed valuation (and the maximum rate for maintenance and operations for which the District may levy in each year hereafter, being then subject only to annual Board approval) and a debt service tax rate of \$0.1935 per \$100 of such taxable assessed value (an amount that is set annually by the Board), which combined tax rate of \$0.9712 represents an increase of an approximate –\$827,319 in maintenance and operations tax revenue to the District in the 2023-2024 school year and a larger amount annually thereafter, which is approximately –5.39 percent higher maintenance and operations tax revenue than the amount collected last year pursuant to Section 26.08 Texas Tax Code, as amended?”

Section 4. Ballots. The ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

BELLVILLE INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

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| [] FOR |) | Ratifying the ad valorem tax rate of \$0.9712 per \$100 |
| |) | valuation in Bellville Independent School District for the |
| |) | current year, a rate that will result in an increase of –5.39 |
| |) | percent in maintenance and operations tax revenue for the |
| [] AGAINST |) | District for the current year as compared to the preceding |
| |) | year, which is an additional –\$827,319. |

Section 5. Voting. 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). As required by the 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. Paper ballots may be used for early voting by mail.

Each voter desiring to vote in favor of the Proposition shall mark the ballot indicating “FOR” such Proposition, and each voter desiring to vote against the Proposition shall mark the ballot indicating “AGAINST” such Proposition. Voting will be conducted in accordance with the Election Code.

Section 6. Early Voting. For the use of those voters who are entitled by law to vote early by mail, the early voting clerks shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote “FOR” or “AGAINST” the Proposition. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code.

(a) Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B**. Early voting by personal appearance shall begin on Monday, October 23, 2023, and end on Friday, November 3, 2023.

(b) The Austin County Elections Official, Kim Rinn, is hereby designated as the early voting clerk for Austin County to perform those functions for District voters who are qualified under State and federal law in Austin County. Applications for ballots to be voted by mail should be mailed to:

Name: Kim Rinn

Official Mailing/Physical Address: 804 E. Wendt St., Bellville, TX 77418-2840

E-mail address: krinn@austincounty.com

Phone Number: (979) 865-8633

Fax Number: (979) 865-0183

Website Address: <https://www.austincounty.com/page/austin.Elections>

The Official is hereby authorized and directed to designate the early voting ballot board and other officers required to conduct early voting for the Election.

Section 7. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges and alternate judges or clerks appointed by the Board, in accordance with the Election Agreements, the Texas Education Code, the Election Code and the Constitution and laws of the State and the United States of America. The President of the Board, the Superintendent, and their respective designees, are authorized to enter into, execute and deliver one or more Election Agreements, in accordance with applicable provisions of the Election Code. The terms and provisions of each Election Agreement are hereby incorporated into this Election Order. To the extent of any conflict between this Election Order and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the President of the Board, the Superintendent, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Election Order, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable State and federal law and to carry out the intent of the Board, as evidenced by this Election Order. The Official shall be responsible for establishing the central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Bilingual Election Materials. 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 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his or her responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the tax rate for the current year shall be the rate adopted by the Board. If the Proposition is not approved, then the Board may not adopt a rate that exceeds the District's voter-approval tax rate.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the Official.

Section 11. Notice of Election. Notice of the Election shall be given in the manner required by the Election Code and other applicable law. To the extent required by law, each notice of the Election shall include the District's internet website address, which is <https://www.bellvilleisd.org/>.

Section 12. 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 a 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 13. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all reasonable or necessary actions to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Superintendent and the Superintendent's designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with any alterations or changes in or additions to the polling locations and other information, as necessary.

Section 14. Authorization to Execute. The President or Vice President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Election Order on behalf of the Board; and the President or Vice President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 15. Effective Date. This Election Order is effective immediately upon its passage and approval.

[Signature page to follow]

PASSED AND APPROVED this August 21, 2023.

/s/ Sarah Buenger
President, Board of Trustees

ATTEST:

/s/ Kenneth Stein
Secretary, Board of Trustees

EXHIBIT A
ELECTION DAY POLLING LOCATIONS

Tuesday, November 7, 2023 General Election
Countywide Polling Locations
7 am – 7 pm

<u>Polling Location 1</u> Austin County Annex 804 East Wendt Street Bellville, TX 77418	<u>Polling Location 3</u> W E Hill Community Center 1000 Main Street Sealy, TX 77474
<u>Polling Location 2</u> Industry City Building 725 Main Street Industry, TX 78944	<u>Polling Location 4</u> Wallis Columbus Club Hall 703 Columbus Road Wallis, TX 77485

EXHIBIT B
EARLY VOTING POLLING LOCATIONS AND TIMES

[to be confirmed by the County]

Main Early Voting Location

Austin County Annex
804 East Wendt Street
Bellville, Texas 77418

Main Early Voting Location Dates/Hours of Operation

Monday, October 23, 2023 thru Friday, October 27, 2023 (8 am to 5:30 pm)
Saturday, October 28, 2023 (8 am to 1 pm)
Monday, October 30, 2023 thru Friday, November 3, 2023 (8 am to 5:30 pm)

Branch Early Voting Location

WE Hill Community Center
1000 Main Street
Sealy, Texas 77474

Branch Early Voting Location Dates/Hours of Operation

Monday, October 23, 2023 thru Friday, October 27, 2023 (9 am to 6 pm)
Saturday, October 28, 2023 (8 am to 1 pm)
Monday, October 30, 2023 thru Friday, November 3, 2023 (9 am to 6 pm)