

16,946

FILED FOR RECORD  
at 12:30 o'clock P M

ORDER

AUG 16 2021

AN ORDER OF THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS, CALLING A BOND ELECTION TO BE HELD ON NOVEMBER 2, 2021 WITHIN THE COUNTY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO

BECKY LANDRUM  
County Clerk, Hunt County, Tex.

WHEREAS, the Commissioners Court of Hunt County, Texas (the "Court"), hereby finds and determines that it is necessary and advisable to call and hold a bond election in the County for the purpose of submitting a proposition pertaining to the issuance of bonds for the purposes hereinafter set forth; and

WHEREAS, the Court hereby finds and determines that said election shall be held on a uniform election date established by Section 41.001(a), Texas Election Code, as amended, as required by Texas law; and

WHEREAS, the 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, as amended; therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS:

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

Section 2. **Election Ordered; Date; Proposition.** An election (the "Election") shall be held in and throughout Hunt County, Texas on Tuesday, November 2, 2021 ("Election Day"), a uniform election date established by Section 41.001(a) of the Texas Election Code, as amended (the "Code"). At the Election, the following proposition (the "Proposition") shall be submitted to the qualified voters of the County in accordance with law:

HUNT COUNTY - PROPOSITION A

"Shall the Commissioners Court of Hunt County, Texas, be authorized to issue bonds of the County, in one or more series or issues, in the aggregate principal amount of \$75,000,000 for the purpose of providing funds for permanent public improvements, to-wit: acquiring, designing, constructing, improving and equipping Hunt County law enforcement and detention center facilities, including related court facilities, and the acquisition of land therefor; said bonds of each series or issue, respectively, to mature serially over a period of not to exceed thirty (30) years from their date, and to be issued in such installments and sold at such price or prices and to bear interest at such rate or rates as shall

be determined within the discretion of the Commissioners Court under laws in effect at the time of issuance; and to provide for the payment of the principal of and interest on said bonds by levying and collecting annual ad valorem taxes upon all taxable property within the County in an amount sufficient to pay the annual interest on said bonds and to provide a sinking fund sufficient to pay said bonds as they become due?"

Section 3. **Official Ballot.** (a) The Proposition shall be set forth substantially in the following form, so as to permit the voters to vote "FOR" or "AGAINST" the Proposition, which shall be set forth on the ballots in substantially the following form:

HUNT COUNTY - PROPOSITION A

- |                                  |  |
|----------------------------------|--|
| <input type="checkbox"/> FOR     | "THE ISSUANCE OF \$75,000,000 BONDS FOR ACQUIRING, DESIGNING, CONSTRUCTING, IMPROVING AND EQUIPPING  |
| <input type="checkbox"/> AGAINST | HUNT COUNTY LAW ENFORCEMENT AND DETENTION CENTER FACILITIES, INCLUDING RELATED COURT FACILITIES, AND THE ACQUISITION OF LAND THEREFOR AND THE LEVY OF A TAX IN PAYMENT THEREOF." |

Section 4. **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 5. **Persons Qualified to Vote.** All resident, qualified voters of the County shall be eligible to vote at the Election.

Section 6. **Election Precincts, Voting Locations and Voting Hours on Election Date.** The polling places for the Election are hereby designated to be those locations identified by the Elections Administrator (as defined herein) of Hunt County, Texas (the "County"). Such locations are listed on Exhibit A attached hereto, which is incorporated herein by reference and made a part hereof for all purposes; provided, however, such locations may be changed if so directed by the Elections Administrator without further action of the Court. The Court and/or its Elections Administrator are hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election, without further action by the Court, and the County Clerk or her designee is hereby authorized to update Exhibit A to reflect the locations designated by the Court or the Elections Administrator, which locations are hereby approved. Each polling place shall be open from 7:00 A.M. to 7:00 P.M. on Election Day.

Section 7. **Early Voting Locations Dates and Times.** (a) The Elections Administrator is appointed as the Early Voting Clerk for purposes of this Election (the "Early Voting Clerk"). The early voting place and the address for early voting by mail for the Election are hereby designated as set forth in Exhibit E; provided, however, such locations may be changed if so directed by the Elections Administrator without further action of the Court. The

Elections Administrator is hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The County Clerk or her designee is hereby authorized to update Exhibit B to reflect the locations designated by the Elections Administrator, and such locations are hereby approved. The Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot board and the presiding judge and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judge shall be authorized to approve the necessary election clerks to assist in conducting the Elections.

(b) Early voting by personal appearance shall be conducted on the days and during the hours set forth in Exhibit B, as may be adjusted by the Elections Administrator without further Court action.

(c) Applications for early voting by mail shall be submitted to the Elections Administrator at the location identified in Exhibit B.

(d) Voting times may be changed if so directed by the Elections Administrator without further action of the Court. The Elections Administrator is hereby authorized and directed to make such changes in voting hours as may be necessary for the proper conduct of the Election.

Section 8. **Appointment of Election Officers.** The Election shall be conducted under the jurisdiction of the Hunt County Voter Registrar (the "Elections Administrator").

Section 9. **Notice of Election.** Notice of the Election shall be given by: (i) publishing a substantial copy of this Order, in English and Spanish, two (2) times on the same day in consecutive weeks, with the first publishing not earlier than the thirtieth (30<sup>th</sup>) day or later than fourteen (14) days prior to the date set for the Election, in a newspaper published in the County, or, in the absence of such newspaper, in a newspaper of general circulation within the County, (ii) posting a copy of this Order, in English and Spanish, in the County courthouse on the bulletin board used for posting notices of the meetings of the Court and in at least three (3) other public places within the boundaries of the County, not later than the twenty-first (21st) day prior to the date set for the Election, (iii) posting a copy of this Order, in English and Spanish, on the County's website, prominently and together with the notice of the Election and the contents of the Proposition, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Order shall be posted in a prominent location at each polling place.

Section 10. **Conduct of Election.** (a) The Election shall be conducted in accordance with the Code, the Texas Government Code and the Federal Voting Rights Act of 1965, as amended, under the jurisdiction of the Elections Administrator.

(b) Election judges, alternate judges and clerks shall be paid, as determined by the Elections Administrator, for their service in the Election.



(c) The holding of the Election shall be in compliance with the Code except as modified by other applicable provisions of law.

(d) The election officers shall make returns for the Election in the manner required by law, and the ballots that are properly marked in conformance with the provisions of the Code for votes cast both during the period of early voting and on the day of the Election shall be counted in the manner required by law.

Section 11. **County's Outstanding Debt.** As of the effective date of this Order, the County's aggregate principal amount outstanding of tax-supported debt was \$11,855,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$2,903,473. The County's total ad valorem tax rate for the current fiscal year was \$0.467017, which is comprised of a maintenance and operations tax rate component of \$0.455806 per \$100 of taxable assessed valuation and a debt service tax rate of \$0.011211 per \$100 of assessed valuation. The County's taxable assessed valuation for calendar year 2020, as of the date that the current tax rate was established, was \$7,484,140,858.

Section 12. **Issuance of New Debt.** The County intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Court based upon a number of factors, including, but not limited to, the then current needs of the County, demographic changes, prevailing market conditions, assessed valuations of property in the County and management of the County's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations of property vary based upon a number of factors beyond the County's control, and therefore, the County cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The County estimates that, based on the County's current taxable assessed valuation, current market conditions and estimated future growth in the County's taxable assessed valuation, if all of the bonds authorized by the Proposition were issued in accordance with the County's current project finance plan, the maximum interest rate on the bonds is not expected to exceed 4.50%.

Section 13. **Voter Information Document.** The County Judge, the County Auditor and the County Clerk, or their designee, acting on behalf of the Court, in consultation with the County's attorney and bond counsel, is hereby authorized and directed to provide a voter information document, in the form prescribed by Section 1251.052(b), Texas Government Code (the "Information Document").

The County Judge, the County Auditor and the County Clerk, or their designee, acting on behalf of the Court, is further authorized and directed to post the Information Document in the same manner as provided for notice of the Election under Section 9 of this Ordinance, and additionally on the County's website in an easily accessible manner beginning not later than the twenty-first (21st) day before the date set for the Election and ending on the day after Election Day.

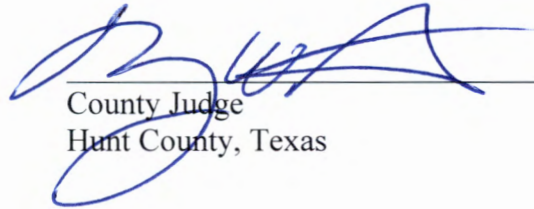
Section 9. **Necessary Actions**. The County Judge, the County Auditor and the County Clerk and other officials of the County, in consultation with the County's attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Order.

Section 10. **Severability**. If any provision, section, subsection, sentence, clause or phrase of this Order, or the application of 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 Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Court in adopting this 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 Order are declared to be severable for that purpose.

Section 11. **Appointment of Election Administrator**. The Elections Administrator of the County is hereby appointed Election Administrator for the County and agent for the custodian of voted ballots in their respective jurisdictions.

Section 12. **Effect Date**. This Order shall take effect immediately upon adoption.


The foregoing Order was read and adopted on August 16, 2021.



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County Judge  
Hunt County, Texas

ATTEST:



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County Clerk  
Hunt County, Texas

*Signature Page for Order Calling Election*