

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

WHEREAS, the Board of Trustees (the *Board*) of the BOERNE INDEPENDENT SCHOOL DISTRICT (the *District*), located in Kendall, Comal, and Bexar Counties, Texas (individually, the *County*, collectively, the *Counties*), 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, concurrently with the Election, the District is conducting an election for certain Board trustee positions; and

WHEREAS, Section 11.0581 of the Texas Education Code, as amended requires that an election for trustees positions, along with any other District election held concurrently therewith, be conducted jointly with a municipality including territory of the District on Election Day (defined herein); and

WHEREAS, the District anticipates conducting its Board election and the Election jointly with the City of Boerne, Texas (the *City*), which is a municipality within the District, on Election Day only (and unless the City cancels its election, in which case the District's compliance with Section 11.0581 is no longer required because of, as described above, impossibility), in a manner permitted under applicable Texas law; and

WHEREAS, the District will conduct the Election according to the Texas Election Code, as amended (the *Code*) and other applicable state and federal laws; and

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 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 BOERNE INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1. The Election shall be held in the BOERNE INDEPENDENT SCHOOL DISTRICT on May 7, 2022 (*Election Day*), which is a uniform election date under the 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 measures to the qualified voters of the District:

MEASURE A

Shall the Board of Trustees of the Boerne Independent School District be authorized to issue and sell bonds of the District, in one or more series, in the aggregate principal amount of not more than \$162,640,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), the purchase of the necessary sites for school facilities, and the purchase of new school buses, 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?

MEASURE B

Shall the Board of Trustees of the Boerne 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 \$3,000,000 for the purposes of acquiring and updating technology equipment for school facilities, 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 District 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). At least 79 days prior to Election Day, or as soon thereafter as is reasonably practicable, the President of the Board of Trustees, the Superintendent of Schools, or the respective designees of either, or the designee thereof, will appoint Presiding Judges, 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 and the City, if any and as applicable, to the extent permitted by applicable law.

A. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations must include a person fluent in the Spanish language.

B. On Election Day, the polls shall be open as designated on Exhibit A.

C. The main early voting location is 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. The main early voting location 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 Code.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained according to the 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 will be identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B 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. 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 of the 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 State 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 is authorized to utilize a Central Counting Station (the *Station*) as provided by Section 127.001, *et seq.*, of the Code. The Early Voting 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 according to the Code. The Board hereby authorizes the Early Voting Clerk, or the designee thereof, to appoint the Tabulation Supervisor and the Programmer for the Station and may appoint Station clerks as needed or desirable. The Early Voting 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 according to the Code. Lastly, the Board hereby appoints the Secretary of the Board as the Presiding Judge of the Station.

SECTION 5. The official ballot shall be prepared according to the Code so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measures that shall appear on the ballot substantially as follows:

PROPOSITION A

THE ISSUANCE OF \$162,640,000 OF BONDS BY THE BOERNE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, LAND, AND BUSES, AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.

PROPOSITION B

THE ISSUANCE OF \$3,000,000 OF BONDS BY THE BOERNE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL TECHNOLOGY EQUIPMENT, AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.

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 places. The Election shall be held and conducted according to the Code and other applicable law. To the extent required by law, materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7. Notice of election, 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. Moreover, a substantial copy of this Order and the voter information attached to and incorporated herein for all purposes, including a Spanish translation thereof, shall be posted (a) not less than 21 days prior to Election Day (1) on the bulletin board used for posting notices of Board meetings, (2) in three additional public places within the District’s boundaries, (3) 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 District, as of the date of this order, had outstanding an aggregate principal amount of debt equal to \$302,078,908.25; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$175,693,628.33; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.324 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 4.00% (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 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 of the Board of Trustees, the Superintendent of Schools, or the respective designee of either, to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the City if desired or if required to comply with applicable law, as permitted and in accordance with the Code. In addition, the Board authorizes the President of the Board of Trustees, the Superintendent of Schools, or the respective designee of either 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.

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.

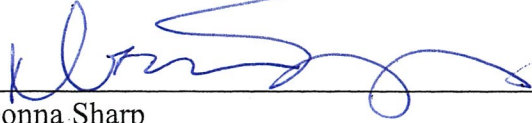
SECTION 14. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order 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.

* * *

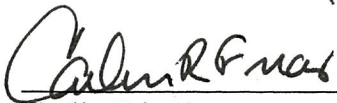
PASSED AND APPROVED on January 24, 2022.

BOERNE INDEPENDENT SCHOOL DISTRICT



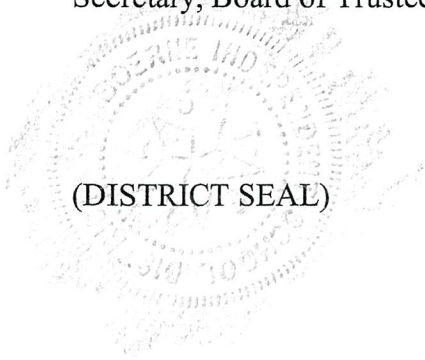
Donna Sharp
President, Board of Trustees

ATTEST:



Carlin Friar
Secretary, Board of Trustees

(DISTRICT SEAL)



[Signature Page to Bond Election Order]

Exhibit A (Anexo A)

ELECTION DAY May 7, 2022 (*DÍA DE LA ELECCIÓN 7 de mayo de 2022*)

District's website (*sitio web del Distrito*): <https://www.boerneisd.net>
Website of authority conducting the election (*Sitio web de la autoridad que lleva a cabo la elección*): <https://www.co.kendall.tx.us/page/Elections>

Election Day Polling Locations open from 7 a.m. to 7 p.m.
(*Lugares de votación del Día de la Elección abiertos de 7 a.m. a 7 p.m.*)

Polling Places* (*Lugar de la votación)**

Kendall County participates in the Countywide Polling Place Program. Any registered voter of Kendall County may choose to vote at any of the Vote Center Locations listed below on Election Day. Registered voters of Bexar and Comal County must vote at the Bexar/Comal County Location listed below on Election Day.

(El condado de Kendall participa en el Programa de lugares de votación en todo el condado. Cualquier votante registrado del condado de Kendall puede optar por votar en cualquiera de las ubicaciones de los centros de votación que se enumeran a continuación de 7 am – 7 pm el día de las elecciones. Los votantes registrados de los condados de Bexar y Comal deben votar en la ubicación de los condados de Bexar/Comal que se indica a continuación el día de las elecciones.)

Boerne City Hall (Training Room), 447 N. Main Street, Boerne, Texas 78006
Burdick Community Center, 119 Old San Antonio Road, Boerne, Texas 78006
Boerne Bible Church, 1026 E. Blanco, Boerne, Texas 78006
Nineteen:Ten Church, 130 FM 1376, Boerne, Texas 78006
Van Raub School House, 8776 Dietz Elkhorn Road, Fair Oaks Ranch, Texas (**Bexar/Comal**)
Bergheim Volunteer Fire Department, 1 Old Curry Creek Road, Bergheim, Texas 78004
Kendalia Community Center, 2610 FM 473, Kendalia, Texas 78027
Sisterdale Community Center, 2 Sisterdale-Lindendale Rd, Sisterdale, Texas 78006
Comfort Baptist Church, 100 Amber Drive, Comfort, Texas 78013

*Voters registered in Bexar or Comal Counties wishing to vote in the constitutional amendment election must vote in the county of their registration. (*Los votantes registrados en los condados de Bexar o Comal que deseen votar en la elección de enmienda constitucional deben votar en el condado de su registro.*)

The District's Precinct 1 is comprised of Kendall County precincts 1010, 1030, 1050, 1110, 2020, 2060, 2080, 2120, 3010, 3030, 3040, 3050, 3060, 4070, 4090, and 4100; Bexar County precincts 3012, 3017, 3034, 3055, 3094, 3097, 3126, 3194; and Comal County Precinct 46. (*El Precinto 1 del Distrito está compuesto por los distritos electorales del condado de Kendall 1010, 1030, 1050, 1110, 2020, 2060, 2080, 2120, 3010, 3030, 3040, 3050, 3060, 4070, 4090, y 4100; los distritos electorales del condado de Bexar 3012, 3017, 3034, 3055, 3094, 3097, 3126, 3194; y los distritos electorales del condado de Comal 46.*)

Exhibit B (Anexo B)

EARLY VOTING (VOTACIÓN ANTICIPADA)

District's website (*sitio web del Distrito*): <https://www.boerneisd.net>
Website of authority conducting the election (*Sitio web de la autoridad que lleva a cabo la elección*): <https://www.co.kendall.tx.us/page/Elections>

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site. (*Los votantes con derecho a votar una boleta temprana por comparecencia personal pueden hacerlo en cualquier sitio de votación temprana*). Voters registered in Bexar or Comal Counties wishing to vote in the constitutional amendment election must vote in the county of their registration. (*Los votantes registrados en los condados de Bexar o Comal que deseen votar en la elección de enmienda constitucional deben votar en el condado de su registro*.)

April 25-29, 2022 (<i>25-29 de abril de 2022</i>)	8:00 am – 6:00 pm
April 30, 2022 (<i>30 de abril de 2022</i>)	10:00 am – 4:00 pm
May 2-3, 2022 (<i>2-3 de mayo de 2022</i>)	7:00 am – 7:00 pm

Kendall County Courthouse Annex [main location (*ubicación principal*)]
221 Fawn Valley Drive, Boerne, Texas

Van Raub School House
8776 Dietz Elkhorn Road, Fair Oaks Ranch, Texas
Voting Entrance to School House will be off of Noll Rd.
(*La entrada de votación a School House estará fuera de Noll Rd.*)

Early Voting By Mail (*Votación Anticipada por Correo*): Applications for voting by mail should be received no later than the close of business on April 26, 2022. (*Las solicitudes de votación por correo deben ser recibidas a más tardar al cierre de operaciones del 26 de abril de 2022*). Applications should be sent to (*Se deben enviar las solicitudes a*):

Early Voting Clerk (*secretario de votación anticipada*): Staci L. Decker
mailing address (*dirección de envío*): P.O. Box 2384, Boerne, Texas 78006
physical address (*dirección física*): 221 Fawn Valley Drive, Suite 100, Boerne, Texas 78006
phone (*teléfono*): (830) 331-8701 / fax (*fax*): (830) 331-8295
email (*correo electrónico*): absenteevoting@co.kendall.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. (*Si se envía por fax o correo electrónico una solicitud de boleta por correo (o si se envía por fax una solicitud postal federal), el solicitante también debe enviar la solicitud original para que el secretario de votación anticipada reciba el original a más tardar cuatro días después de recibir la copia enviada por correo electrónico o por fax.*)

Exhibit C (Anexo C)

VOTER INFORMATION DOCUMENT (DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)

Boerne Independent School District Proposition A:
(Propuesta A del Distrito Escolar Independiente de Boerne:)

<input type="checkbox"/> FOR <i>(a favor)</i>	THE ISSUANCE OF \$162,640,000 OF BONDS BY THE BOERNE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, LAND, AND BUSES, AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.	LA EMISIÓN DE \$162,640,000 EN BONOS POR PARTE DEL DISTRITO ESCOLAR INDEPENDIENTE DE BOERNE PARA INSTALACIONES ESCOLARES, PREDIOS Y AUTOBUSES, Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR. ESTE ES UN INCREMENTO DEL IMPUESTO A LA PROPIEDAD.
<input type="checkbox"/> AGAINST <i>(en contra)</i>		

principal of debt obligations to be authorized <i>(capital de obligaciones de deuda que se autorizará)</i>	\$162,640,000.00
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.00% <i>(interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de interés del 4.00%)</i>	\$115,957,235.56
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 30 años)</i>	\$278,597,235.56
as of the date the election was ordered, principal of all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes)</i>	\$302,078,908.25
as of the date the election was ordered, the estimated interest on all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes)</i>	\$175,693,628.33
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 27 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 27 años)</i>	\$477,772,536.58
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved <i>(aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba)</i>	\$0.00

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Exhibit D (Anexo D)

VOTER INFORMATION DOCUMENT (DOCUMENTO DE INFORMACIÓN PARA EL VOTANTE)

Boerne Independent School District Proposition B:
(Propuesta B del Distrito Escolar Independiente de Boerne:)

<input type="checkbox"/> FOR <i>(a favor)</i>	THE ISSUANCE OF \$3,000,000 OF BONDS BY THE BOERNE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL TECHNOLOGY EQUIPMENT, AND THE LEVYING OF A TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.	LA EMISIÓN DE \$3,000,000 EN BONOS POR PARTE DEL DISTRITO ESCOLAR INDEPENDIENTE DE BOERNE PARA EQUIPO DE TECNOLOGÍA ESCOLAR, Y LA IMPOSICIÓN DE UN IMPUESTO PARA EL PAGO DE LO ANTERIOR. ESTE ES UN INCREMENTO DEL IMPUESTO A LA PROPIEDAD.
<input type="checkbox"/> AGAINST <i>(en contra)</i>		

principal of debt obligations to be authorized <i>(capital de obligaciones de deuda que se autorizará)</i>	\$3,000,000.00
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.00% <i>(interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de interés del 4.00%)</i>	\$2,141,066.67
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 30 años)</i>	\$5,141,066.67
as of the date the election was ordered, principal of all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes)</i>	\$302,078,908.25
as of the date the election was ordered, the estimated interest on all outstanding debt obligations <i>(a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes)</i>	\$175,693,628.33
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 27 years <i>(capital e intereses juntos estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 27 años)</i>	\$477,772,536.58
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved <i>(aumento anual máximo estimado de la cantidad de impuestos en una residencia principal con un valor estimado de \$100,000 para pagar las obligaciones de deuda que se autorizarán, si se aprueba)</i>	\$0.00

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