

AN ORDER BY THE BOARD OF TRUSTEES OF SUNDOWN  
INDEPENDENT SCHOOL DISTRICT CALLING A BOND  
ELECTION TO BE HELD WITHIN THE DISTRICT; MAKING  
PROVISIONS FOR THE CONDUCT AND THE GIVING OF  
NOTICE OF THE ELECTION; AND CONTAINING OTHER  
PROVISIONS RELATING THERETO

WHEREAS, the Board of Trustees (the "Board") of Sundown Independent School District (the "District") finds that an election should be held to determine whether the Board shall be authorized to issue bonds of the District in the amounts and for the purposes hereinafter set forth; and

WHEREAS, the Board finds and determines that all facilities to be acquired, constructed, renovated, improved or equipped pursuant to Proposition A herein will be used predominantly for required classroom instruction and essential administrative operations for faculty and staff; and

WHEREAS, the Board finds and determines that the meeting at which this 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, as amended;

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

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 a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Propositions. A bond election (the "Election") shall be held in the District on Saturday, May 1, 2021 ("Election Day"), a uniform election date as established by Section 41.001(a) of the Texas Election Code, as amended (the "Code"). At the Election, the following propositions (the "Propositions") shall be submitted to the qualified voters of the District in accordance with law:

SUNDOWN ISD – PROPOSITION A

Shall the board of trustees of Sundown Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$4,590,000 for the purpose of acquiring, constructing, renovating, improving and equipping school buildings of the District, and for the purchase of school buses; and shall there be levied, assessed and collected annually 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 the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than

40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

#### SUNDOWN ISD – PROPOSITION B

Shall the board of trustees of Sundown Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$455,000 for the purpose of acquiring, improving and equipping technology and technology infrastructure, including computers and tablet devices for the District; and shall there be levied, assessed and collected annually 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 the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than 40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

#### SUNDOWN ISD – PROPOSITION C

Shall the board of trustees of Sundown Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$1,260,000 for the purpose of acquiring, constructing, renovating, improving and equipping teacher housing, as determined by the District to be necessary to have a sufficient number of teachers for the District and for the purchase of necessary sites for housing for teachers; and shall there be levied, assessed and collected annually 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 the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than 40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

SUNDOWN ISD – PROPOSITION D

Shall the board of trustees of Sundown Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$1,400,000 for the purpose of acquiring, constructing, renovating, improving and equipping football stadium facilities, including turf replacement, LED lighting and concession stand improvements; and shall there be levied, assessed and collected annually 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 the same become due and to pay the costs of any credit agreements executed or authorized in anticipation of, in relation to or in connection with the bonds; said bonds to be issued in one or more series or issues, to mature serially or otherwise not more than 40 years from their date, and to bear interest at such rate or rates not to exceed the limit prescribed by law at the time of issuance, as the board of trustees in its discretion shall determine?

Section 3. Official Ballot. The official ballots for the Election shall be prepared in accordance with the Code so as to permit the electors to vote "FOR" or "AGAINST" each Proposition which shall be set forth on the ballots substantially in the following form:

SUNDOWN ISD – PROPOSITION A

- |                          |         |   |   |
|--------------------------|---------|---|---|
| <input type="checkbox"/> | FOR     | ) | "THE ISSUANCE OF \$4,590,000 OF SCHOOL BUILDING BONDS FOR ACQUIRING, CONSTRUCTING, RENOVATING,  |
| <input type="checkbox"/> | AGAINST | ) | IMPROVING AND EQUIPPING SCHOOL BUILDINGS, AND FOR THE PURCHASE OF SCHOOL BUSES; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE." |

SUNDOWN ISD – PROPOSITION B

- |                          |         |   |   |
|--------------------------|---------|---|---|
| <input type="checkbox"/> | FOR     | ) | "THE ISSUANCE OF \$455,000 OF SCHOOL BUILDING BONDS FOR ACQUIRING AND EQUIPPING TECHNOLOGY  |
| <input type="checkbox"/> | AGAINST | ) | INFRASTRUCTURE, INCLUDING COMPUTERS AND TABLET DEVICES; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY |



THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

SUNDOWN ISD – PROPOSITION C

- ☐ FOR ) “THE ISSUANCE OF \$1,260,000 OF SCHOOL BUILDING BONDS FOR ACQUIRING, CONSTRUCTING, RENOVATING, IMPROVING AND EQUIPPING TEACHER HOUSING, AS DETERMINED BY THE DISTRICT TO BE NECESSARY TO HAVE A SUFFICIENT NUMBER OF TEACHERS FOR THE DISTRICT AND FOR THE PURCHASE OF NECESSARY SITES FOR HOUSING FOR TEACHERS; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE.”
- ☐ AGAINST )

SUNDOWN ISD – PROPOSITION D

- ☐ FOR ) “THE ISSUANCE OF \$1,400,000 OF SCHOOL BUILDING BONDS FOR ACQUIRING, CONSTRUCTING, RENOVATING, IMPROVING AND EQUIPPING FOOTBALL STADIUM FACILITIES INCLUDING TURF REPLACEMENT, LED LIGHTING AND CONCESSION STAND IMPROVEMENTS; AND THE LEVYING OF A TAX SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND TO PAY THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO OR IN CONNECTION WITH THE BONDS. THIS IS A PROPERTY TAX INCREASE.”
- ☐ AGAINST )

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 electors of the District shall be eligible to vote at the Election.

Section 6. Election Precincts, Voting Locations and Voting Hours on Election Day. The polling places for the Election are hereby designated to be those locations identified by the Elections Administrator (as defined herein). 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 District. Hockley County or its Elections Administrator is 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 District, and the President of the Board or his designee is hereby authorized to update Exhibit A to reflect the locations designated by Hockley County 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) Cheryl Smart is appointed as the Early Voting Clerk of Hockley County for purposes of this Election (the "Early Voting Clerk"). The early voting places and the addresses for early voting by mail for the Election are hereby designated as set forth in Exhibit B; provided, however, such locations may be changed if so directed by the Elections Administrator without further action of the District. 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 President of the Board or his 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 Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges 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 Board action.

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

(d) Voting times may be changed if so directed by the Elections Administrator without further action of the District. 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 Hockley County Elections Office (the "Election Administrator") pursuant to a Joint Election Contract (the "Contract") by and among the District, Hockley County and other participating entities, if any, described in the Contract. The Contract providing for the joint election and the conduct of the Election by the Elections Administrator shall be presented to the Board for consideration and approval. The Superintendent or the Superintendent's designee is authorized to amend or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by 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, one time not earlier than the thirtieth (30th) day nor later than the tenth (10th) day prior to the date set for the Election, in a newspaper



published in the District, (ii) posting a copy of this Order and the Voter Information Document (as hereinafter defined), in English and Spanish on the bulletin board used for posting notices of meetings of the Board and in at least three (3) other public places within the boundaries of the District, not later than the twenty-first (21st) day prior to the date set for the Election and (iii) posting a copy of this Order and the Voter Information Document, in English and Spanish, on the District's website, prominently and together with the notice of the Election, the contents of the Propositions and any sample ballot prepared for the election, 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 and the Voter Information Document shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the County Clerk and voter registrar of Hockley County not later than the 60th day before the Election Day; which notice the County is hereby authorized and directed to post to its website not later than the twenty-first (21st) day prior to the date set for the Election.

Section 10. Conduct of Election. The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, the Texas Government Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 11. District's Outstanding Debt. As of the effective date of this Order, the District's aggregate principal amount of outstanding of tax-supported debt was \$0.00 and the aggregate amount of outstanding interest on such tax-supported debt was \$0.00. The District's total ad valorem tax rate for the current fiscal year was \$0.9664, which is comprised of a maintenance and operations tax rate component of \$0.9664 per \$100 of taxable assessed valuation and a debt service tax rate of \$0.00 per \$100 of assessed valuation. The District's taxable assessed valuation for calendar year 2020, as of the date that the current tax rate was established, was \$885,283,173.

Section 12. Issuance of New Debt. The District intends to issue the bonds authorized by the Propositions over a period of years in a manner and in accordance with a schedule to be determined by the Board based upon a number of factors, including, but not limited to, the then current needs of the District, demographic changes, prevailing market conditions, assessed valuations of property in the District and management of the District'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 District's control, and therefore, the District cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Propositions. 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 District estimates that, based on the District's current taxable assessed valuation, current market conditions and estimated future growth in the District's taxable assessed valuation, if all of the bonds authorized by the Propositions were issued in accordance with the District's current project finance plan, the maximum interest rate on the bonds is not expected to exceed 3.00%.

Section 13. Voter Information Document. The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, in consultation with the District's attorney and bond counsel, is hereby authorized and directed to provide with respect to each of the Propositions, a voter information document, in the form prescribed by Section 1252.052(b), Texas Government Code (collectively, the "Information Document").

The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, is further authorized and directed to post the Voter Information Document in the manner provided under Section 9 of this Order, and additionally on the District'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 14. Necessary Actions. The President of the Board, the Superintendent of the District, or their designee, acting on behalf of the Board, in consultation with the District's attorney and bond counsel, is 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 15. 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 Board 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 16. Appointment of Election Administrator. The Elections Administrator of Hockley County is hereby appointed Election Administrator for the District and agent for the custodian of voted ballots in the respective jurisdictions.

Section 17. Effective Date.

This Order shall take effect immediately upon its approval.

PASSED AND APPROVED this February 10, 2021.

**EXHIBIT A**

**SUNDOWN INDEPENDENT SCHOOL DISTRICT**

**ELECTION DAY POLLING LOCATION AND SCHEDULE**

Saturday, May 1, 2021

7:00 am to 7:00 pm

Sundown ISD

511 E 7<sup>th</sup> St.

Office of the Superintendent, Lobby

Sundown, TX 79372



**EXHIBIT B**

**SUNDOWN INDEPENDENT SCHOOL DISTRICT**

**EARLY VOTING POLLING LOCATIONS**

Sundown City Hall  
809 S. Slaughter Avenue  
Sundown, TX

Dates	Times
Monday, April 19 <sup>th</sup>	7:00 am – 7:00 pm
Tuesday thru Friday, April 20 <sup>th</sup> – 23 <sup>rd</sup>	8:00 am – 5:00 pm
Monday, April 26 <sup>th</sup>	7:00 am – 7:00 pm
Tuesday, April 27 <sup>th</sup>	8:00 am – 5:00 pm

Applications for a ballot for early voting by mail shall be mailed to:

Hockley County Elections Office  
Attn: Cheryl Smart, Elections Administrator  
624 Ave H Ste 103  
Levelland, Texas 79336

Or by email to [csmart@hockleycounty.org](mailto:csmart@hockleycounty.org)