

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

WHEREAS, the Board of Trustees (the *Board*) of the CLEVELAND INDEPENDENT SCHOOL DISTRICT (the *District*), located in Liberty, Montgomery, and San Jacinto Counties, Texas (individually, the *County*, together, 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, the District will contract with the County Clerk of Liberty County, the Elections Administrator of Montgomery County, and the Elections Administrator of San Jacinto County (individually, the *Election Official*; together, the *Election Officials*) to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by each County and held jointly with other political subdivisions for which each County is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, each County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code (the *Election Contracts*); and

WHEREAS, the Board hereby finds and determines 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 certain of the anticipated capital improvements may be submitted to the qualified voters of the District as a single proposition as authorized by Section 45.003(g) of the Texas Education Code, as amended, (the *Code*) because these capital improvements will be used predominately for teaching required curriculum and/or administrative purposes and are not the type of facilities described in Section 45.003(g)(1-6) of the Code; 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 CLEVELAND INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the CLEVELAND INDEPENDENT SCHOOL DISTRICT on the 7th day of November, 2023 (*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 propositions to the qualified voters of the District:

PROPOSITION A

“Shall the Board of Trustees of the Cleveland Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$125,000,000 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, the purchase of new school buses, the retrofitting of school buses with emergency, safety or security equipment, and the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes, 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: On Election Day, the polls shall be open from 7 a.m. to 7 p.m. at the locations designated by the Elections Officials in accordance with the Election Contracts. The locations of such polling places on Election Day are set forth in **Exhibit A** which is attached hereto and incorporated herein by reference as a part of this Order for all purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places designated by the Elections Officials and to conform to the Election Contracts.

SECTION 3: Early voting shall be administered by each Elections Official. Early voting shall be conducted by personal appearance at the locations and during the period early voting is required or permitted by law on the dates and at the times set forth in **Exhibit B** which is attached hereto and incorporated herein by reference as a part of this Order for all purposes. **Exhibit B** shall be modified to include additional or different early voting locations designated by the Elections Officials and to conform to the Election Contracts.

SECTION 4: A voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting and for election day voting. 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. Pursuant to Section 61.012, as amended, Texas Election Code, the Elections Administrators shall provide at least one accessible voting system in each polling place used in the Election.

SECTION 5: The Elections Officials will appoint the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election.

An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of an Early Voting Ballot Board shall be designated by each of the

Elections Officials for their respective County. The Presiding Judge shall appoint not less than two resident qualified voters of the District to serve as members of each such Early Voting Ballot Board.

The District shall utilize a Central Counting Station (individually, the *Station*, and together the *Stations*) as provided by Section 127.001, *et seq.*, as amended, Texas Election Code. The Administrators, or the designees thereof, are hereby appointed as the Manager of each respective 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 authorizes the Election Officials, or the designees thereof, to appoint the Presiding Judge, the Tabulation Supervisor, and the Programmer of their respective Station and may appoint Station clerks as needed or desirable. The Administrators will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to their respective Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 6: 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 propositions which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF \$125,000,000 OF BONDS BY THE CLEVELAND INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, THE PURCHASE OF NECESSARY SITES FOR SCHOOL FACILITIES, BUSES AND VEHICLES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

SECTION 7: All resident, qualified voters of the District shall be permitted to vote at the Election.

SECTION 8: 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. A substantial copy of this Order and the voter information document, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not less than 21 days prior to Election Day, (ii) in three additional public places within the District’s boundaries not later than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the District’s internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the District’s internet website not less than 21 days prior to Election Day.

SECTION 9: In accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the District, as of the date of the adoption of this Order, had outstanding an aggregate principal amount of debt equal to \$304,259,988.55; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$269,177,948.95; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of

\$0.35720 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board's adoption of this Order, the estimated maximum interest rate for any series of bonds authorized at the Election is 4.75% (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 35-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 10: The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties to make such modifications to this Order that are necessary for compliance with applicable Texas or federal law, including the Election Contracts, 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 Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Trustees.

SECTION 11: 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 12: 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 13: This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America. 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 14: 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 15: This Order shall be in force and effect from and after its final passage, and it is so ordered.

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PASSED AND APPROVED, this the 17th day of July, 2023.

CLEVELAND INDEPENDENT SCHOOL
DISTRICT



President, Board of Trustees

ATTEST:



Secretary, Board of Trustees

(DISTRICT SEAL)



[Signature Page to Cleveland Independent School District Bond Election Order]

Exhibit A

ELECTION DAY PRECINCT AND POLLING INFORMATION

Election Day: Tuesday, November 7, 2023

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be appointed by the Election Officials

Liberty County Election Day Voting Locations

Cleveland Civic Center	210 Peach Ave., Cleveland, Texas
The Sanctuary Pentecostal Church	100 E. Hanson St., Cleveland, Texas
Plum Grove City Hall	155 C.R. 345, Plum Grove, Texas
Sante Fe Elementary	60 F.M. 1010, Cleveland, Texas
Hi-Way Tabernacle	108 C.R. 2250, Tarkington, Texas
Dayton Community Center	801 S. Cleveland St., Dayton, Texas
New Life	3056 F.M. 1008, Kenefick, Texas
St. Anne's Catholic Church Hall	C.R. 622 & F.M. 686, Eastgate (Dayton), Texas
Pathways Church	9160 F.M. 1409, Dayton, Texas
Jack Hartel Admin. Building	318 San Jacinto St., Liberty, Texas
Dolen Baptist Church Gym	10078 F.M. 787, Dolen, Texas
Hardin City Hall	142 C.R. 2010, Hardin, Texas
Hull-Daisetta High School	117 N. Main St., Daisetta, Texas
Devers Elementary School	201 Chism St., Devers, Texas

Liberty County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters of Liberty County will be able to cast their Election Day ballots at the Vote Centers identified above in Liberty County or as identified on the County's website.

Montgomery County Election Day Location

Precinct 41 (Partial)	Splendora ISD Administration Building	23419 FM 2090 Splendora, TX 77372
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San Jacinto County Election Day Locations

Elections Administration
51 E. Pine Ave.
Coldspring, Texas 77331

Shepherd Community Center
10251 State Hwy 150
Shepherd, TX 77371

Evergreen Community Center
7550 State Hwy 150 W
Coldspring, TX 77331

Bear Creek VFD
11550 FM 1725
Cleveland, TX 77328

Point Blank, Precinct 4 Annex
221 Boat Launch Rd
Point Blank, TX 77364

Oakhurst Fire Department
990 US Hwy 190
Oakhurst, TX 77359

New Hope Baptist Church
13200 FM 2025
Cleveland, TX 77328

San Jacinto County participate in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters of San Jacinto County will be able to cast their Election Day ballots at the Vote Centers identified above in San Jacinto County or as identified on the County's website.

<https://www.co.liberty.tx.us/>
<https://www.elections.mctx.org/>
<https://www.co.san-jacinto.tx.us/>

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Exhibit B

EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, October 23, 2023 and ends on Friday, November 3, 2023.

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site in their County of registration.

Applications for voting by mail should be received no later than the close of business (5:00 p.m.) on Friday, October 27, 2023. 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.

Liberty County

Days/Dates	Times
October 23, 2023 – October 27, 2023	9:00 am – 6:00 pm
October 28, 2023	7:00 am – 7:00 pm
October 29, 2023	1:00 pm – 7:00 pm
October 30, 2023 – November 3, 2023	7:00 am – 7:00 pm

Cleveland Civic Center	210 Peach St, Cleveland, TX
The Sanctuary Pentecostal Church	100 E. Hanson St., Cleveland TX
Hardin City Hall	142 C.R. 2010, Hardin, TX
Dayton Community Center	801 S. Cleveland St. Dayton, TX
Jack Hartel Community Center	318 San Jacinto St. Liberty, TX

Early Voting By Mail: Applications should be sent to: Lee Haidusek Chambers, Liberty County Clerk, P.O. Box 369, Liberty, Texas 77575, fax: (936) 334-3236, email: coclerk@co.liberty.tx.us.

Early Voting Clerk: Lee Haidusek Chambers, 1923 Sam Houston St., Liberty, Texas 77575.
Presiding Judge of the Early Voting Ballot Board: to be named by the County Clerk.

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Montgomery County

Days/Dates	Times
October 23, 2023 – October 28, 2023	8:00 am – 5:00 pm
October 29, 2023	Closed
October 30, 2023 – November 1, 2023	8:00 am – 5:00 pm
November 2, 2023 – November 3, 2023	7:00 am – 7:00 pm

Polling Location <i>Sitio de Votación</i>	Address <i>Dirección</i>	Room <i>Sala</i>
Central Library (Main Early Voting Polling Place) <i>(Sitio Principal Electoral de Votación Adelantada)</i>	104 I-45 North Conroe 77301	Large Meeting Room <i>Sala grande de juntas</i>
North Montgomery County Community Center	600 Gerald Street Willis 77378	Meador Room <i>Sala Meador</i>
Lone Star Community Center	2500 Lone Star Parkway Montgomery 77356	Cissy Boulware Room <i>Sala Cissy Boulware</i>
West Montgomery County Community Development Center	31355 Friendship Drive Magnolia 77355	Green Room <i>Sala verde</i>
Magnolia Event Center	11659 FM 1488 Magnolia 77354	LGI 1 <i>LGI 1</i>
South County Community Center	2235 Lake Robbins Drive The Woodlands 77380	Dining Room <i>Sala de comedor</i>
Spring Creek Greenway Nature Center	1300 Riley Fuzzel Road Spring 77386	Community Room <i>Sala comunitaria</i>
East Montgomery County Fair Association Building	21675A McCleskey Road New Caney 77357	Main Room <i>Sala principal</i>

Early Voting By Mail: Applications should be sent to: Suzie Harvey, P.O. Box 2646, Conroe, Texas 77305, fax: (936) 788-8340, email: election.ballot@mctx.org.

Early Voting Clerk: Suzie Harvey, 9159 Airport Rd, Conroe, Texas 77303.

Presiding Judge of the Early Voting Ballot Board: to be named by the Administrator.

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San Jacinto County

Elections Administration Building (Main Early Voting Location)
51 E Pine Ave., Coldspring, Texas 77331

Days/Dates	Times
October 23, 2023 – October 27, 2023	8:00 a.m. – 5:00 p.m.
October 28, 2023 - October 29, 2023	Closed
October 30, 2023 – November 1, 2023	8:00 a.m. – 5:00 p.m.
November 2, 2023 – November 3, 2023	7:00 a.m. -7:00 p.m.

Early Voting By Mail: Applications should be sent to: Vicki Shelly, 51 E. Pine Ave, Room A-1, Coldspring, Texas 77331, phone: (936) 653-5804, fax: (936) 653-5808, email: ea@san-jac.us

Early Voting Clerk: Vicki Shelly, 51 E. Pine Ave, Room A1, Coldspring, Texas 77331.
Presiding Judge of the Early Voting Ballot Board: to be named by the Administrator.

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