

ORDER BY THE BOARD OF TRUSTEES OF BYNUM
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 the Bynum 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 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 THE BYNUM 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. Call of Election; Date; Eligible Electors; and Hours. An election (the "Election") shall be held on Saturday, May 4, 2024 ("Election Day"), 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 3. Voting Precincts; Polling Places; Election Officers. Except as otherwise provided herein, the Election Day precincts established, if any, for the purpose of holding the Election and the polling places designated for the Election precincts 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 his designee, shall determine from time to time that 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 his designee, is 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 as is required by the Election Code and as

deemed sufficient.

Section 4. Propositions. At the Election there shall be submitted to the resident, qualified electors of the District the following propositions (each a "Proposition" and collectively, the "Propositions"):

BYNUM INDEPENDENT SCHOOL DISTRICT PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE BYNUM INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$9,000,000 FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING, BUT NOT LIMITED TO, THE REHABILITATION, RENOVATION, EXPANSION AND/OR IMPROVEMENT OF THE MAIN CAMPUS BUILDING IN THE DISTRICT, THE ACQUISITION AND UPDATE OF TECHNOLOGY EQUIPMENT TO BE USED FOR SCHOOL SECURITY PURPOSES, AND THE ACQUISITION AND UPDATE OF TECHNOLOGY INFRASTRUCTURE INTEGRAL TO THE CONSTRUCTION OF A FACILITY), AND THE PURCHASE OF SCHOOL BUSES, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE 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 COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

Section 5. Ballots. The Ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

OFFICIAL BALLOT

BYNUM INDEPENDENT SCHOOL DISTRICT PROPOSITION A

THE ISSUANCE OF \$9,000,000 BONDS FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING, BUT NOT LIMITED TO, THE REHABILITATION, RENOVATION, EXPANSION AND/OR IMPROVEMENT OF THE MAIN CAMPUS BUILDING IN THE DISTRICT, THE ACQUISITION

[] FOR
[] AGAINST

AND UPDATE OF TECHNOLOGY EQUIPMENT TO BE USED FOR SCHOOL SECURITY PURPOSES, AND THE ACQUISITION AND UPDATE OF TECHNOLOGY INFRASTRUCTURE INTEGRAL TO THE CONSTRUCTION OF A FACILITY), AND THE PURCHASE OF SCHOOL BUSES, AND THE LEVYING AND IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND THE COSTS OF ANY CREDIT AGREEMENT REQUIRED. THIS IS A PROPERTY TAX INCREASE.

Section 6. Voting. In all respects, the Election shall be conducted in accordance with the Code and any future proclamations of the Governor impacting the Election. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The District hereby finds that the voting system to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the District in its elections

Section 7. Early Voting. Early voting by personal appearance shall begin in accordance with the Code on April 22, 2024, and conclude on April 30, 2024, and will be conducted at the Early Voting locations on the dates and at the times specified on Exhibit A attached hereto. Exhibit A shall be modified to include additional or different early voting polling places required to conform to the Code. Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit A, attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the District. The Superintendent or his designee is hereby authorized to update Exhibit A to reflect the designated locations, and such locations are hereby approved.

Section 8. Voting By Mail Applications for voting by mail for all residents of the District shall be delivered to the address below and received (not postmarked) by April 23, 2024.

Applications for voting by mail for all residents of the District shall be sent by mail, or by common or contract carrier to Larry Mynarcik, Early Voting Clerk, 704 Toliver Ave., Bynum, Texas 76631. Phone: (254) 5312341. Email: lmynarcik@bynumisd.net.

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 (or that otherwise complies with applicable law), (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 of each of each county in which the District is located not later than the sixtieth (60th) day before the Election Day; which notice the Counties are hereby authorized and directed to post to their website not later than the twenty-first (21st) day prior to Election Day. Notice of the Election shall be posted to the District's internet website not later than the twenty-first (21st) day before the election, in compliance with Section 4.009, Texas Election Code, as amended. The website for the District can be found at www.cranfillsgapisd.net.

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

Section 11. Additional Information Required by Section 3.009 of the Election Code.

(a) Pursuant to Section 3.009, Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 5 of this Election Order, (ii) the purposes for which the bonds are to be authorized are set forth in Section 4 of this Election Order, (iii) the principal amount of bonds to be authorized is set forth in Section 4 of this Election Order, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the costs of any credit agreements may be imposed, as set forth in Section 4 of this Election Order, (v) bonds authorized pursuant to this Election Order may be issued to mature over a number of years not to exceed the maximum number of years authorized by law and bearing interest at the rate or rates (not to exceed the maximum rate now or hereafter authorized by law), as authorized by law and determined by the Board, (vi) as of the date of the adoption of this Election Order, the aggregate amount of outstanding principal of the District's debt obligations is \$1,018,000, and the aggregate amount of outstanding interest on the District's debt obligations is \$157,187, and (vii) the District's ad valorem debt service tax rate as of the date of adoption of this Election Order is \$.13502 per \$100 valuation of taxable property.

(b) Based upon market conditions as of the date of this Election Order, the maximum net effective interest rate for any series of the bonds is estimated to be 5.00%. Such estimated maximum interest rate is provided as a matter of information but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the

requirements of Section 3.009, Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to and does not give rise to a contract with voters or limit the authority of the Board to issue bonds in accordance with the Propositions submitted by this Election Order.

Section 12. 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 his designees are hereby authorized to complete and update, as necessary, Exhibit A hereto with polling location and other information upon the availability of such information.

Section 13. Voter Information Document. The Board hereby approves the voter information document (the "Voter Information Document"), in substantially the form presented to the Board, with such changes as may be approved by 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 general counsel, bond counsel, and financial advisor, as prescribed by Section 1251.052(b), Texas Government Code.

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 or provide for the posting of 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. The District's website is: www.cranfillsgapisd.net.

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.

[Execution Page to Follow]

PASSED AND APPROVED this 8th day of February, 2024

/s/ Griff Harris

President, Board of Trustees
Bynum Independent School District

ATTEST:

/s/ Tim Helms

Secretary, Board of Trustees
Bynum Independent School District

(District Seal)

Exhibit A

POLLING LOCATIONS, DATES AND HOURS

ELECTION DAY POLLING LOCATION AND HOURS

May 4, 2024

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

Locations

Bynum City Hall
106 Saylor St.
Bynum, Texas 76631

EARLY VOTING BY PERSONAL APPEARANCE

Early voting begins on April 22, 2024 and ends April 30, 2024

Early Voting Sites:

Bynum City Hall – Main Early Voting Site
106 Saylor St.
Bynum, Texas 76631

The dates and times of Early Voting are:
(Los días y horas de votación adelantada son:)

4-22.2024 – 4-26.2024: 9:00 a.m. – 1:00 p.m.
4-29.2024 – 4-30.2024: 9:00 a.m. – 1:00 p.m.

**VOTER INFORMATION FOR
BYNUM INDEPENDENT SCHOOL DISTRICT
PROPOSITION A**

THE ISSUANCE OF \$9,000,000 BONDS FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING, BUT NOT LIMITED TO, THE REHABILITATION, RENOVATION, EXPANSION AND/OR IMPROVEMENT OF THE MAIN CAMPUS BUILDING IN THE DISTRICT, THE ACQUISITION AND UPDATE OF TECHNOLOGY EQUIPMENT TO BE USED FOR SCHOOL SECURITY PURPOSES, AND THE ACQUISITION AND UPDATE OF TECHNOLOGY INFRASTRUCTURE INTEGRAL TO THE CONSTRUCTION OF A FACILITY), AND THE PURCHASE OF SCHOOL BUSES, AND THE LEVYING AND IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND THE COSTS OF ANY CREDIT AGREEMENT REQUIRED. THIS IS A PROPERTY TAX INCREASE.

1. Principal of the debt obligations to be authorized	\$9,000,000
2. Estimated interest for the debt obligations to be authorized	\$4,326,598.61
3. Estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized	\$13,326,598.61
4. As of the date of the adoption of the District's Election Order, the aggregate amount of outstanding principal of the District's outstanding debt obligations	\$1,018,000
5. As of the date of the adoption of the District's Election Order, the aggregate amount of outstanding interest on the District's outstanding debt obligations	\$157,187
6. As of the date of the adoption of the District's Election Order, the estimated combined principal and interest on the District's outstanding debt obligations	\$1,175,187
7. Estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved, based upon assumptions made by the governing body of the District	\$0.00
8. Other information that the District considers relevant or necessary to explain the information	See Assumptions below.

- (1) Assumed changes in estimated future appraised values within the District: assumes that approximately \$236,000,000 in taxable assessed value for debt service purposes from Stetson Renewables Holding LLC plus another \$159,701,000 in taxable assessed value for debt service purposes in connection with the approved Chapter 313 Agreement related to OCI San Antonio Hillsboro Solar LLC's solar farm will be added in 2028

- (2) Assumed interest rate on the proposed debt obligations: 4.52%
- (3) The estimates contained in this voter information document are (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 1251.052, Texas Government Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to and do not give rise to a contract with voters or limit the authority of the District to issue bonds in accordance with the Propositions submitted by the District's Election Order.