

## ORDER CALLING SCHOOL BUILDING BOND ELECTION

STATE OF TEXAS §  
COUNTY OF ORANGE §  
WEST ORANGE-COVE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the "Board") of the West Orange-Cove Consolidated Independent School District (the "District") has, among others, the power to issue bonds for the construction, acquisition and equipment of school buildings in the District, including a new high school; and

WHEREAS, the Board intends to only issue those amounts sufficient to construct a new high school facility and no additional improvements; and

WHEREAS, the Board has determined that it is necessary and convenient to call and conduct an election to obtain voter authorization for the issuance of such bonds;

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE WEST ORANGE-COVE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. An election (the "Election") shall be held on Saturday, May 14, 2011, which is sixty-two (62) or more days from the date of the adoption of this order, 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 at the Election shall be from 7:00 o'clock a.m. to 7:00 o'clock p.m.

Section 2. Contract with Orange County to Conduct the Election. Pursuant to Section 31.092 and 271.002, Texas Election Code, as amended, the District is contracting with Orange County, Texas (the "County") to conduct the Election and to perform certain election services for the District in connection with the Election including all of the supervisory and administrative duties relating to the conduct of the Election. The execution of such joint election contracts between the District and the County (the "Joint Election Contract") is hereby authorized and approved.

Section 3. Voting Precincts; Polling Places; Election Officers. Except as otherwise provided herein, the voting precincts for the Election and the boundaries thereof, the polling places, the precinct judges and alternate judges for the voting precincts are hereby established as follows: the voting precincts, polling places, precinct judges and alternative judges for the Election shall be as determined by the County and utilized by the County for the County's joint elections to be conducted with the Election. Such precincts and polling places are further identified on Exhibit A hereto.

In the event that the Superintendent shall determine from time to time (a) that one or more of the polling places hereby established and designated shall become unavailable or unsuitable for such use, or it would be in the District's best interests to relocate a polling place, or (b) that a precinct judge or alternate judge hereby appointed or hereinafter designated shall become unqualified or unavailable, the Superintendent is hereby authorized to designate and

appoint in writing substitute polling places, precinct judges or alternate judges, giving such notice as is required by the Election Code and as deemed sufficient.

Section 4.     Proposition.   At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the “Proposition”):

**PROPOSITION**

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE WEST ORANGE-COVE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$6,075,000 FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT INCLUDING TRACK AND ATHLETIC FACILITIES AND THE RENOVATION AND COMPLETION OF DISTRICT SCHOOLS, 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 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 AS THEY BECOME DUE, AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED IN ANTICIPATION OF, RELATED TO, OR IN CONNECTION WITH THE BONDS THEREWITH, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SUBCHAPTER A OF CHAPTER 45, TEXAS EDUCATION CODE, AND CHAPTER 1371, TEXAS GOVERNMENT CODE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO, AND OF 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

### PROPOSITION

[ ] FOR

THE ISSUANCE OF \$6,075,000 SCHOOL BUILDING BONDS FOR THE CONSTRUCTION, ACQUISITION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT INCLUDING TRACK AND ATHLETIC FACILITIES AND THE RENOVATION AND COMPLETION OF DISTRICT SCHOOLS, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF

[ ] AGAINST

Section 6. Voting. Voting in the Election, including early voting, shall be by the voting system adopted by the Commissioner's Court of the County. Each voter desiring to vote in favor of a Proposition shall mark the ballot indicating "FOR" such Proposition, and each voter desiring to vote against a Proposition shall mark the ballot indicating "AGAINST" the Proposition. Voting shall be in accordance with the Election Code.

Section 7. Early Voting. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code and shall be conducted at the locations, dates and hours as designated by the County and the County election officer. Such locations, dates and hours are further identified on Exhibit B hereto.

The Board hereby appoints Bonnie Tegge as the early voting clerk. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows: Elections Administrator, Tina Leverett, 123 S. 6<sup>th</sup> Street, Orange, Texas 77630.

For the use of those voters who are entitled by law to vote early by mail, the early voting clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote "FOR" or "AGAINST" such Proposition.

Section 8. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges appointed hereunder and alternate judges or clerks, in accordance with the District's contract with the County, the Education Code, the Election Code and the Constitution and laws of the State of Texas and the United States of America. Copy of the District's contract with the County is attached hereto as Exhibit C.

Section 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of a Proposition, then the issuance and sale of the bonds described in such Proposition shall be authorized in the maximum amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the Board to be in the District's best interest.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the County.

Section 11. Notice of Election. Notice of the Election, stating in substance the contents of this order (the "Election Order"), shall be published one time in the English and Spanish languages, in a newspaper published within the District's territory or, if none is published in the District's territory, in a newspaper of general circulation in the District's territory, at least ten (10) days and no more than thirty (30) days before the Election. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings no later than the twenty-first (21<sup>st</sup>) day before the Election.

Section 12. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least 72 hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 13. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all actions reasonable and necessary to insure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed.

Section 14. Selling of Bonds. If authorized by the voters, the Bonds described under the Proposition set forth in Section 4 hereinabove may be sold in one or more series but, in the aggregate, may not exceed the cost of the new high school established by a construction contract (authorized in any manner permitted under Texas law) plus reasonable contingency amounts and costs of issuing the Bonds.

Section 15. Authorization to Execute. The President or Vice President of the Board is authorized to execute and the Secretary to 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 16. Effective Date. This Election Order is effective immediately upon its passage and approval.

*[Signature page follows]*

PASSED AND APPROVED \_\_\_\_\_, 2011.

\_\_\_\_\_  
President, Board of Trustees  
West Orange-Cove Consolidated  
Independent School District

ATTEST:

\_\_\_\_\_  
Secretary, Board of Trustees  
West Orange-Cove Consolidated  
Independent School District

(SEAL)

## **EXHIBIT A**

### **ORANGE COUNTY VOTING LOCATIONS FOR WEST ORANGE-COVE CONSOLIDATED ISD**

**Saturday May 14, 2011 polling locations will be open from 7:00 a.m. to 7:00 p.m.**

<b><u>Precinct No.</u></b>	<b><u>Polling Place</u></b>
Early Voting	Orange Public Library 220 N. Fifth Street Orange, Texas
Election Precinct No. 1 & 2	WO-S Middle School 1402 W. Green Ave
Election Precinct No. 3, 4 & 5	North Early Learning Center 801 Cordrey
Election Precinct No. 8, 13, 14 & 15	Salvation Army 1950 N. MLK Drive
Election Precinct No. 11, 12 & 24	West Orange City Hall 2700 Western Avenue

#### **ELECTION COORDINATOR FOR WOCCISD**

Bonnie Tegge, Administration  
Building

#### **EARLY VOTING**

Orange Public Library  
220 N. Fifth Street  
Orange, Texas

Tina Leverett, Elections  
Administrator

Bonnie Tegge, Deputy Early Voting  
Clerk

Pam Becker, Judge, Early Voting  
Ballot Board

Francis Crow, Temporary Deputy  
Early Voting Clerk

\_\_\_\_\_, Alternate Judge, Early  
Voting Ballot Board

Helen Brown, Temporary Deputy  
Early Voting Clerk

#### **ELECTION PRECINCT NO. 1 & 2 WO-S Middle School 1402 W, Green Ave.**

Jerry Hammett, Presiding Judge

Verlene Hammett, Alternate Judge

#### **ELECTION PRECINCT NO. 3,4 & 5 North Early Learning Center 801 Cordrey**

Helen Brown, Presiding Judge

TBA, Alternate Judge

#### **ELECTION PRECINCT NO. 8, 13, 14 & 15 Salvation Army 1950 N. MLK Drive**

Jean Long, Presiding Judge

Virginia Tubbleville, Alternate Judge

#### **ELECTION PRECINCT NO. 11 & 12 West Orange City Hall 2700 Western Avenue**

Francis Crow, Presiding Judge

TBA, Alternate Judge

**EXHIBIT B**

**EARLY VOTING LOCATIONS AND TIMES FOR WEST ORANGE-COVE  
CONSOLIDATED ISD**

**Monday, May 2 through Tuesday, May 10**

**8:30 am to 4:30 pm**

**No Sunday voting**

**Tuesday, May 3 and Tuesday, May 10**

**8:00 am to 8:00 pm**

**Precinct No.**

Early Voting –

Precincts 1,2,3,4,5,8,11,12,

13,14,15 & 24

**Polling Place**

Orange Public Library

220 N. Fifth Street

Orange, Texas



## **EXHIBIT C**

### **JOINT ELECTION AGREEMENT**

**Between**

**The Cities of Pinehurst and Orange, West Orange-Cove C.I.S.D., Little Cypress-Mauriceville C.I.S.D., Orange County Navigation & Port District, and Orange County Drainage District, hereinafter called the Entities.**

**WHEREAS**, Texas Election Code Section 271.002 authorizes the governing bodies of political subdivisions conducting elections on the same day to enter into an agreement to hold joint elections in election precincts that can be served by common polling places; and

**WHEREAS**, the above mentioned entities will hold elections on the same day, being May 8, 2010, and it would benefit the Entities and the citizens and voters thereof to conduct the elections jointly;

**NOW, THEREFORE, IT IS AGREED** that a joint election will be held by the Entities under the following terms and conditions:

The Entities may share polling locations in precincts in which common polling places may be served on election day and/or during the early voting period;

Each Entity will be responsible for conducting its own election, including ordering, posting and publishing notice of its election, securing polling locations, securing election materials and supplies, printing and use of its own ballots, appointment and payment of election judges and clerks, and all other procedures and costs involved in conducting the election except as contracted with the Orange County Elections Administrator;

Each Entity will be responsible for its own preclearance submission (if applicable) to the U. S. Department of Justice;

The Entities will share in the cost of the lease of the ESS Automark accessible voting system from the Orange County Elections Administrator when used in common polling places;

The Entities may contract with the Orange County Elections Administrator for other services as deemed necessary by each Entity;

If one or more of the Entities cancels its election, the manner in which the election is conducted will remain the same for the remaining Entities. Common polling places will continue to be shared in election precincts in which common locations may be used. The remaining Entities will continue to share in the cost

of the ESS Automark accessible voting system leased from the Orange County Elections Administrator.

The undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

**CITY OF PINEHURST**

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T. W. Permenter, Mayor                      Date

**CITY OF ORANGE**

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Shawn Oubre, City Manager                      Date

**WEST ORANGE-COVE CISD**

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Pete Amy, Board President                      Date

**LITTLE CYPRESS-MAURICEVILLE CISD**

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Brenda Mott, Board President                      Date

**ORANGE COUNTY NAVIGATION & PORT DISTRICT**

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Gene Bullion, Port Director                      Date

**ORANGE COUNTY DRAINAGE DISTRICT**

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Bill E. Dixon, President                      Date