



ORDER 10-2024

**AN ORDER BY THE COMMISSIONERS COURT OF CALDWELL COUNTY,
TEXAS CALLING A BOND ELECTION TO BE HELD IN CALDWELL COUNTY,
TEXAS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND
RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH
ELECTION**

WHEREAS: The Commissioners Court (the Court) of Caldwell County, Texas (the County) hereby finds and determines that an election should be held to determine whether the County shall be authorized to issue bonds of the County in the amount and for the purposes hereinafter identified (the Election); and

WHEREAS: The Court hereby finds and determines that the necessity to construct various capital improvements within the County necessitates that it is in the public interest to call and hold the Election as soon as possible to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS: The Court hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the County; now, therefore,

**BE IT ORDERED BY THE COMMISSIONERS COURT OF CALDWELL COUNTY,
TEXAS THAT:**

SECTION 1. The Election shall be held in the County of Caldwell, Texas on the 5th day of November, 2024 (Election Day), which is a uniform election date under the Texas Election Code, as amended, and is not more than 90 nor fewer than 78 days from the date of the adoption of this order (the Order), for the purpose of submitting the following measure to the qualified voters of the County:

MEASURE A

“Shall the Commissioners Court of Caldwell County, Texas be authorized to issue and sell one or more series of general obligation bonds of the County in the aggregate principal amount of not more than \$150,000,000 for the purposes of designing, acquiring, demolishing, constructing, developing, extending, expanding, upgrading, renovating, improving, repairing, and maintaining roads, bridges, and highways within Caldwell County, including city, state and county streets, roads,

highways, and bridges and the acquisition of land and rights-of-way therefor, traffic signalization and control equipment, lighting, necessary utility relocation and drainage improvements related thereto and including participation in joint projects with federal, state, and local public entities and agencies, with priority given to the following street projects:

- W. San Antonio Street – corridor study from SH 130 to US 183
- Borchert Drive/Loop – SH 142 to Black Angle Road
- City Line Road – W. San Antonio to Old Fentress Road
- SH 142 – SH 130 to TX 180
- SH 142 – Borchert Lane to Windsor Boulevard
- FM 20 / US 183 – S. Medina Street to S. Commerce Street
- William Pettus Road (CR 238) – SH 21 to SH 142
- US 183 Turn Lane Addition – Magnolia Avenue to Plum Creek
- Bridge Replacements – Countywide
- Low Water Crossings – Countywide
- Bridle Path – US 183 to FM 2984
- FM 2720 at Grist Mill Road – SH 21 to FM 720
- Rocky Road at SH 21 – SH 21 to Misty Drive
- FM 2001 at SH 21 – Rohde Road to FM 2001
- Schuelke Road at SH 21 – SH 21 to Schuelke Road
- Holz Lane at SH 21 – SH 21 to reconnection at Holz Lane
- N. Hackberry Avenue Truck Route (Alt) – SH 80 to E. Pierce Street
- N. Magnolia Avenue (US 183) Turn Lane Addition – SH 80 to E. Pierce Street
- NW River Road (CR 103)
- Niederwald Transportation Plan
- Luling Transportation Plan
- CR 174, CR 179 and CR 182
- SH 80 – corridor study from County Line to US 180 (Magnolia Avenue –

Luling)

and in providing for the above public improvements, the Commissioners Court shall have the option to (i) utilize other funds available for such purposes and (ii) abandon such indicated public improvements that are reliant, in part, on external sources of funding that (for whatever reason) do not materialize or because unforeseen changes in fact or circumstance make the anticipated expenditure no longer wise or necessary (as determined by the Commissioners Court), and after making due provision for the improvements listed above or determining that the public improvement project will not proceed for a reason heretofore described, the Commissioners Court may, in its discretion, use any excess funds for designing, acquiring, demolishing, constructing, developing, extending, expanding, upgrading, renovating, improving, repairing, and maintaining roads, bridges, and highways within Caldwell County, including city, state and county streets, roads, highways, and bridges and the acquisition of land and rights-of-way therefor, traffic signalization and control equipment, lighting, necessary utility relocation and drainage improvements related thereto and including participation in joint projects with federal, state, and local public entities and agencies ;such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with the law; and any issue or series of such bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the Commissioners Court, provided that such rate 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 said bonds; and shall the Commissioners Court of the County be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in the County sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

SECTION 2. One or more County 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 County election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). If any locations are changed, this will be reflected on the County elections website. At least 79 days prior to Election Day, or as soon thereafter as is reasonably practicable, the County will appoint the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for this Election, together with any other necessary changes to election precincts and procedures and can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the County.

A. The Presiding Judge shall appoint not less than two qualified voters of the

County to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

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). If any locations are changed, this will be reflected on the County elections website. 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. This office or place 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 provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election 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 shall be determined by the County's Elections Administrator (the Administrator), as 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 County 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, as amended, Texas Election Code, the County shall provide at least one accessible voting system in each polling place used in the Election. 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. 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 County is authorized to utilize a Central Counting Station (the Station) as provided by Section 127.001, et seq., as amended, Texas Election Code. The Administrator, or the designee thereof, is hereby appointed as the Manager and Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Court hereby appoints the Administrator, or the designee thereof, as the Tabulation Supervisor and the Administrator, or the designee thereof, as the Programmer for the Station. Lastly, the Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 5. 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 measure which shall appear on the ballot substantially as follows:

PROPOSITION A

"THE ISSUANCE OF NOT TO EXCEED \$150,000,000 OF CALDWELL COUNTY, TEXAS GENERAL OBLIGATION BONDS FOR DESIGNING, ACQUIRING, DEMOLISHING, CONSTRUCTING, DEVELOPING, EXTENDING, EXPANDING, UPGRADING, RENOVATING, IMPROVING, REPAIRING, AND MAINTAINING ROADS, BRIDGES, AND HIGHWAYS WITHIN CALDWELL COUNTY, AND THE LEVYING OF A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, WITH PRIORITY GIVEN TO THE FOLLOWING:

W. San Antonio Street – corridor study from SH 130 to US 183; Borchert Drive/Loop – SH 142 to Black Angle Road; City Line Road – W. San Antonio to Old Fentress Road; SH 142 – SH 130 to TX 180; SH 142 – Borchert Lane to Windsor Boulevard; FM 20 / US 183 – S. Medina Street to S. Commerce Street; William Pettus Road (CR 238) – SH 21 to SH 142; US 183 Turn Lane Addition – Magnolia Avenue to Plum Creek; Bridge Replacements – Countywide; Low Water Crossings – Countywide; Bridle Path – US 183 to FM 2984; FM 2720 at Grist Mill Road – SH 21 to FM 720; Rocky Road at SH 21 – SH 21 to Misty Drive; FM 2001 at SH 21 – Rohde Road to FM 2001; Schuelke Road at SH 21 – SH 21 to Schuelke Road; Holz Lane at SH 21 – SH 21 to reconnection at Holz Lane; N. Hackberry Avenue Truck Route (Alt) – SH 80 to E. Pierce Street; N. Magnolia Avenue (US 183) Turn Lane Addition – SH 80 to E. Pierce Street; NW River Road (CR 103); Niederwald Transportation Plan; Luling Transportation Plan; CR 174, CR 179 and CR 182; SH 80 – corridor study from County Line to US 180 (Magnolia Avenue – Luling)"

SECTION 6. All resident, qualified voters of the County shall be permitted to vote at the Election, and, on Election Day, such voters shall vote at the designated polling places set forth in Exhibit A. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Government Code, as amended, and as may be required by law. To the extent required by law, all Election materials and proceedings shall be printed in both English and Spanish.

SECTION 7. Notice of election, including a Spanish translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the County, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 days, prior to Election Day. Moreover, a substantial copy of this Order and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (i) at the County Courthouse not less than 21 days prior to Election Day; (ii) at three additional public places within the County not less 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 County's internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the County'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 Texas Election Code, the County, as of the date of this Order, had outstanding an aggregate principal amount of debt equal to \$14,010,000; the aggregate amount of the interest owed on such County debt obligations, through respective maturity, totaled \$2,448,798; and the County levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.0355 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Commissioner Court's adoption of this Order, the maximum interest rate for any series of bonds authorized at the Election is 5.00% (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 County estimates that, based on current bond market conditions, such bonds will amortize over a 25-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 Court authorizes the County Judge, or the designee thereof, to negotiate and enter into a joint election agreement or agreements with any other political subdivisions with territory within the County who are also conducting elections on Election Day in accordance with the provisions of the Texas Election Code, as amended, as determined to be necessary or desirable, and 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 Court is 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 Court.

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 Court 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 the date of its adoption, and it is so ordered.

[The remainder of this page intentionally left blank.]

Exhibit A

ELECTION DAY POLLING LOCATION

Election Day: November 5, 2024

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

Presiding Judge(s) and Alternate(s): to be appointed by the Administrator

Polling Places

[The remainder of this page intentionally left blank.]

Exhibit B

EARLY VOTING

Early voting begins Monday, October 21, 2024 and ends on Friday, November 1, 2024.

Early voting clerk: Devante Coe, 1403 Blackjack St., Suite A, Lockhart, Texas 78644

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

Voters entitled to vote on an early ballot by personal appearance may do so at any Early Voting Site.

Main Early Voting Polling Place

Branch Early Voting Polling Place

Early Voting Hours For Polling Places

Main Early Voting Hours	
Monday, October 21, 2024 through Friday, October 25, 2024	
Saturday, October 26, 2024	
Sunday, October 27, 2024	
Monday, October 28, 2024 through Wednesday, October 30, 2024	
Thursday, October 31, 2024 through Friday, November 1, 2024	

Branch Early Voting Hours	
Friday, October 25, 2024	
Saturday, October 26, 2024	

Early Voting By Mail

Applications for voting by mail must be received no later than the close of business (5:00 p.m.) on Friday, October 25, 2024. Applications should be sent to:

Elections Administrator
Devante Coe
1403 Blackjack St., Suite A
Lockhart, Texas 78644
fax: (512) 668-1821
email: caldwellec@co.caldwell.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.

Exhibit C

VOTER INFORMATION DOCUMENT

Caldwell County, Texas Proposition A:

☐ FOR	"THE ISSUANCE OF NOT TO EXCEED \$150,000,000 OF CALDWELL COUNTY, TEXAS GENERAL OBLIGATION BONDS FOR DESIGNING, ACQUIRING, DEMOLISHING, CONSTRUCTING, DEVELOPING, EXTENDING, EXPANDING, UPGRADING, RENOVATING, IMPROVING, REPAIRING, AND MAINTAINING ROADS, BRIDGES, AND HIGHWAYS WITHIN CALDWELL COUNTY, AND THE LEVYING OF A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"
☐ AGAINST	

principal of debt obligations to be authorized	\$150,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.92 (weighted average)%	\$113,042,277
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 25 years	\$263,042,277
as of the date the election was ordered, principal of all outstanding debt obligations	\$14,010,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$2,448,798
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 13.5 years	\$16,458,798
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	\$0.04 tax rate increase (\$40 on a \$100,000 homestead)
This figure makes conservative assumption about the amortization period of the debt obligations and the estimated interest rate; and presumes growth in taxable value of 20% in 2026-2027, 15% in 2028-2029, 10% in 2030-2031, 5% in 2032-2038, and 0% thereafter.	

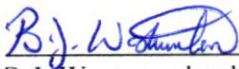
[The remainder of this page intentionally left blank.]

PASSED AND APPROVED, this the 13th day of August, 2024.

COUNTY OF CALDWELL, TEXAS



Hoppy Haden
Caldwell County Judge



B.J. Westmoreland
Commissioner, Precinct 1



Ed Theriot
Commissioner, Precinct 3

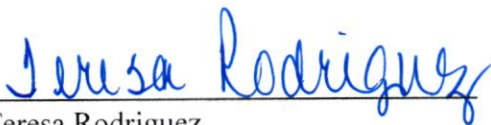


Rusty Horne
Commissioner, Precinct 2



Dyrall Thomas
Commissioner, Precinct 4

ATTEST:



Teresa Rodriguez
County Clerk and Ex-Officio Clerk of the
Commissioners Court of Caldwell County, Texas

(SEAL OF COMMISSIONERS COURT)

