

NOTICE OF ELECTION

THE STATE OF TEXAS

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COUNTY OF KENDALL

To The Resident, Qualified Voters Of

Kendall County, Texas

ADDITIONAL INFORMATION REGARDING THE ELECTION HEREINAFTER DESCRIBED CAN BE FOUND AT [HTTPS://WWW.KENDALLCOUNTY.COM](https://www.kendallcounty.com)

TAKE NOTICE that an election will be held in Kendall County, Texas on November 8, 2022, CONCERNING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 OF KENDALL COUNTY, TEXAS, GENERAL OBLIGATION BONDS FOR ACQUIRING OPEN SPACE AND CONSERVATION LAND AND ACQUIRING CONSERVATION EASEMENTS ON LAND FOR ANY AUTHORIZED PURPOSES, INCLUDING TO ENSURE ITS AVAILABILITY FOR RECREATIONAL OR OPEN-SPACE USE OR TO PROTECT WILDLIFE HABITAT AND THE WATER QUALITY OF CREEKS, RIVERS AND SPRINGS, AND THE LEVYING OF A TAX IN PAYMENT THEREOF, ALL in obedience to an order duly entered by the Commissioners Court of Kendall County, Texas on August 22, 2022, which order reads substantially as follows:

AN ORDER BY THE COMMISSIONERS COURT OF KENDALL COUNTY, TEXAS CALLING A BOND ELECTION TO BE HELD IN KENDALL 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 Kendall 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 at the earliest possible date 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 KENDALL COUNTY, TEXAS THAT:

SECTION 1. The Election shall be held in the COUNTY OF KENDALL, TEXAS on the 8th day of November, 2022 (*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 Kendall 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 \$20,000,000 for the purpose of acquiring open space and conservation land and acquiring conservation easements on land for any authorized purposes, including to ensure its availability for recreational or open-space use or to protect wildlife habitat and the water quality of creeks, rivers and springs, 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). 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.

The County participates in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any County voter can vote in the Election at any polling place identified in 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). 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 \$20,000,000 OF KENDALL COUNTY, TEXAS, GENERAL OBLIGATION BONDS FOR ACQUIRING OPEN SPACE AND CONSERVATION LAND AND ACQUIRING CONSERVATION EASEMENTS ON LAND FOR ANY AUTHORIZED PURPOSES, INCLUDING TO ENSURE ITS AVAILABILITY FOR RECREATIONAL OR OPEN-SPACE USE OR TO PROTECT WILDLIFE HABITAT AND THE WATER QUALITY OF CREEKS, RIVERS AND SPRINGS, AND THE LEVYING OF A TAX IN PAYMENT THEREOF."

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 \$30,785,000; the aggregate amount of the interest owed on such County debt obligations, through respective maturity, totaled \$2,914,546; and the County levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.048431 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 4.25% (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 15-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.

YOU WILL, THEREFORE, take notice of all the matters and facts set out in the foregoing Notice of Election.

//s// Darlene Herrin
County Clerk
Kendall County, Texas

Exhibit A

ELECTION DAY POLLING LOCATION

Election Day: November 8, 2022

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

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

Polling Places

City Hall (Training Room) 447 N. Main Street, Boerne, Texas 78006

First Baptist Church (HUB) 631 S. School Street, Boerne, Texas 78006

Bergheim Volunteer Fire Department 1 Old Curry Creek Road, Bergheim, Texas 78004

Burdick Community Center 119 Old San Antonio Road, Boerne, Texas 78006

Kendall County Fairgrounds (New Dance Hall) 1307 River Road, Boerne, Texas 78006

Kendalia Community Center 2610 FM 473, Kendalia, Texas 78027

Boerne Bible Church 1026 E. Blanco Road, Boerne, Texas 78006

Sisterdale Community Center 2 Sisterdale-Lindendale Road, Sisterdale, Texas 78006

Comfort Baptist Church 100 Amber Drive, Comfort, Texas 78013

Waring Fire House 11 Waring Road, Boerne, Texas 78006

Nineteen: Ten Church 130 FM 1376, Boerne, Texas 78006

County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified on the County's website: <https://www.co.kendall.tx.us/>.

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Exhibit B

EARLY VOTING

Early voting begins Monday, October 24, 2022 and ends on Friday, November 4, 2022.

Early voting clerk: Staci Decker, 221 Fawn Valley Drive, Suite 100, Boerne, Texas 78006.

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

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

Main Early Voting Polling Place

Kendall County Courthouse Annex
221 Fawn Valley Drive
Boerne, Texas 78006

Branch Early Voting Polling Place

Comfort Baptist Church
100 Amber Drive
Comfort, Texas 78013

Early Voting Hours For Polling Places

Main Early Voting Hours	
Monday, October 24, 2022 through Friday, October 28, 2022	8:00 a.m. – 6:00 p.m.
Saturday, October 29, 2022	10:00 a.m. – 4:00 p.m.
Sunday, October 30, 2022	CLOSED
Monday, October 31, 2022 through Wednesday, November 2, 2022	8:00 a.m. – 6:00 p.m.
Thursday, November 3, 2022 through Friday, November 4, 2022	7:00 a.m. – 7:00 p.m.

Branch Early Voting Hours	
Friday, October 28, 2022	9:30 a.m. – 5:30 p.m.
Saturday, October 29, 2022	10:00 a.m. – 4:00 p.m.

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 28, 2022. Applications should be sent to:

Elections Administrator
Staci Decker
P.O. Box 2384
Boerne, Texas 78006
fax: (830) 331-8295
email: elections@co.kendall.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

Kendall County, Texas Proposition A:

<input type="checkbox"/> FOR	“THE ISSUANCE OF NOT TO EXCEED \$20,000,000 OF KENDALL COUNTY, TEXAS, GENERAL OBLIGATION BONDS FOR ACQUIRING OPEN SPACE AND CONSERVATION LAND AND ACQUIRING CONSERVATION EASEMENTS ON LAND FOR ANY AUTHORIZED PURPOSES, INCLUDING TO ENSURE ITS AVAILABILITY FOR RECREATIONAL OR OPEN-SPACE USE OR TO PROTECT WILDLIFE HABITAT AND THE WATER QUALITY OF CREEKS, RIVERS AND SPRINGS, AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”
<input type="checkbox"/> AGAINST	

principal of debt obligations to be authorized	\$20,000,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.25%	\$5,841,625
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 15 years	\$25,841,625
as of the date the election was ordered, principal of all outstanding debt obligations	\$30,785,000
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$2,914,546
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 9 years	\$33,699,546
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	\$6.60
This figure assumes the amortization of the County's debt obligations, including outstanding debt obligations and the proposed debt obligation; changes in estimated future appraised values within the County; changes in estimated future appraised values within the political subdivision; and the assumed interest rate on the proposed debt obligations.	

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