

because these capital improvements will be used predominantly for teaching required curriculum and/or administrative purposes and are not the type of facilities described in Section 45.003(g)(1-6); 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; now, therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE NEW DIANA INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the NEW DIANA INDEPENDENT SCHOOL DISTRICT on the 4th day of May, 2024 (*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 proposition to the qualified voters of the District:

PROPOSITION A

“Shall the Board of Trustees of the New Diana Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$28,250,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring and equipping school facilities in the District (and any necessary or related removal of existing facilities), such bonds to mature serially or otherwise (not more than 40 years from their date of issuance) 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?”

SECTION 2: The Election is to be conducted and administered by the District. On Election Day, the polls shall be open from 7 a.m. to 7 p.m. at the locations designated as polling places on Election Day as set forth in **Exhibit A** which is attached hereto and incorporated herein by reference as a part of this Order for all purposes.

SECTION 3: Early voting shall be administered by the District and Diana Owen shall serve as Early Voting Clerk. 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.

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 District shall provide at least one accessible voting system in each polling place used in the Election.

SECTION 5: The appointment of the Presiding Election Judges, Alternate Presiding Judges, the Presiding Judge of the early ballot board and all other election officials for the Election shall be made by the District, judges or clerks, as applicable, in accordance with the Code.

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 the District. 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.

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 proposition which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF \$28,250,000 OF BONDS BY THE NEW DIANA INDEPENDENT SCHOOL DISTRICT FOR CONSTRUCTING, RENOVATING, IMPROVING AND EQUIPPING SCHOOL FACILITIES IN THE DISTRICT 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, 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 \$7,751,250, which includes \$6,800,000 of I&S Debt;

the aggregate amount of the interest owed on such District debt obligations, through the respective maturities, totaled \$2,175,712.37, which includes \$2,123,821.92 of I&S Debt; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.1045 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board's adoption of this Order, the maximum interest rate for any series of bonds authorized at the Election is 4.60% (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 of issuance), though the District estimates that, based on current bond market conditions, such bonds will amortize over a 30-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 the 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 or to carry out the intent of the Board, as evidenced herein.

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.

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

//s// Becky Smith, Secretary, Board of Trustees, New Diana Independent School District

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Exhibit A

ELECTION DAY POLLING INFORMATION

Election Day: Saturday, May 4, 2024

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

Election Day Polling Place

New Diana High School/Middle School Cafeteria
1774 State Hwy 154 East
Diana, Texas 75640

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Exhibit B

EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, April 22, 2024, and ends on Tuesday, April 30, 2024.

Main Early Voting Polling Place

New Diana ISD Administration Building
1373 US Hwy 259 S.
Diana, Texas 75640

Days/Dates	Times
April 22, 2024 –April 26, 2024	8:00 A.M. – 5:00 P.M.
April 29, 2024 –April 30, 2024	8:00 A.M. – 5:00 P.M.

Temporary Branch Early Voting Polling Places

New Diana ISD’s Norton Lovell Auditorium
Off Hwy 154
Diana, Texas

Days/Dates	Times
April 30, 2024	11:00 A.M. - 8:00 P.M.

Early Voting By Mail

Applications for voting by mail should be received no later than the close of business (5:00 p.m.) on Tuesday, April 23, 2024. 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.

Early Voting Clerk
Administration Building
1373 US Hwy 259 S.
Diana, Texas 75640
Phone: 903-663-8000
Fax: 903-241-7393
Email: dowen@ndisd.org.

VOTER INFORMATION DOCUMENT

New Diana Independent School District Proposition A:

<input type="checkbox"/> FOR (a favor)	“THE ISSUANCE OF \$28,250,000 OF BONDS BY THE NEW DIANA INDEPENDENT SCHOOL DISTRICT FOR CONSTRUCTING, RENOVATING, IMPROVING AND EQUIPPING SCHOOL FACILITIES IN THE DISTRICT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”
<input type="checkbox"/> AGAINST (en contra)	

principal of debt obligations to be authorized	\$28,250,000.00
estimated interest for the debt obligations to be authorized presuming an interest rate of 4.60%	\$26,167,790.00
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized if amortized over 30 years	\$54,417,790.00
as of the date the election was ordered, principal of all outstanding debt obligations	\$7,751,250.00
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$2,175,712.37
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 19 years	\$9,926,962.37
<p>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. This figure assumes application of a homestead exemption of \$100,000.</p> <p>This figure makes conservative assumptions about the amortization period of the debt obligations and the estimated interest rate; and presumes growth in estimated future taxable values within the District of 5% per year for three years.</p>	\$0

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