

NOTICE OF ELECTION

THE STATE OF TEXAS §
 §
COUNTY OF VICTORIA §
 §
VICTORIA COUNTY WATER CONTROL §
AND IMPROVEMENT DISTRICT NO. 2 §

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TO THE RESIDENT, QUALIFIED VOTERS OF THE

VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2

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ADDITIONAL INFORMATION REGARDING THE ELECTION HEREINAFTER DESCRIBED CAN BE FOUND AT <https://placedotxwcid2.org/> and <https://www.vctxelections.org/>.

TAKE NOTICE that an election will be held in the Victoria County Water Control and Improvement District No. 2 on November 7, 2023, CONCERNING “THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED \$3,110,000 FOR WATERWORKS, SANITARY SEWER, STORM SEWER, AND SOLID WASTE DISPOSAL SYSTEMS AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”, ALL in obedience to an ordinance duly entered by the Victoria County Water Control and Improvement District No. 2 on August 18, 2023, which ordinance reads substantially as follows:

AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the Board of Trustees (the *Board*) of the VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 (the *District*) located in Victoria County, Texas (the *County*), hereby finds and determines that an election should be held to determine whether the District shall be authorized to issue bonds of the District in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the District is a water control and improvement district created under article XVI, section 59 of the Texas Constitution and operating under chapters 49 and 51, Texas Water Code; and

WHEREAS, the Board has approved an engineer's report covering the land, improvements, facilities, plants, equipment, and appliances to be purchased or constructed from proceeds of the proposed bonds and their estimated cost, together with maps, plats, profiles, and data fully showing and explaining the report. The engineer's report is not part of the proposition or propositions to be voted on, or a contract with the voters. The engineer's report has been filed in the office of the District and open to inspection by the public; and

WHEREAS, such engineer's report, as may be supplemented, contains an estimate of the cost of acquiring and constructing the proposed improvements, facilities, plants, equipment, and appliances as set forth below; and

WHEREAS, additional costs and expenses will be incurred by the District incidental to its operation and the financing of its proposed improvements, and the Board has arrived at an estimate of such additional costs and expenses as set forth below; and

WHEREAS, the District will enter into an election services contract with Victoria County, by and through its Elections Administrator (the *Administrator*) in accordance with the provisions of Subchapter D of Chapter 31, as amended, Texas Election Code, or other applicable law, pursuant to which the County will assist with certain aspects of the Election on the District's behalf (being, particularly, the rental by the County to the District of electronic voting machines and provision of certain polling locations); and

WHEREAS, the District will contract with the elections administrator (the *Administrator*) of the County to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by the County and held jointly with other political subdivisions for which the County is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the

District, the County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2, TEXAS THAT:

A. The aforementioned estimates are as follows:

	Project	Construction Costs	Non-Construction Costs	Total
1.	Wastewater Treatment Plant Expansion	\$750,000.00	\$75,000.00	\$825,000.00
2.	Placedo Water Distribution Rehabilitation	\$2,100,000.00	\$185,000.00	\$2,285,000.00
Total		\$2,850,000.00	\$260,000.00	\$3,110,000.00

B. All prerequisites to adoption of this Order and to the holding of the election called hereby in accordance with law, other than the notice of such election, have been met.

BE IT ORDERED BY THE BOARD THAT:

SECTION 1. The Election shall be held in the VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 on the 7th day of November, 2023 (*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 measure to the qualified voters of the District:

MEASURE A

VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2

“Shall the Board of Directors of VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 be authorized to issue and sell bonds of the District in the principal amount not to exceed \$3,110,000 for the purposes of purchasing, constructing, acquiring, owning, operating, repairing, improving, or extending any District works, improvements, facilities, plants, equipment, and appliances needed to accomplish the purposes set forth in section 51.121 and 51.331, Texas Water Code, as amended, for which the District was created,

including works, improvements, facilities, plants, equipment, and appliances needed to provide a waterworks and wastewater system; such bonds to mature serially or otherwise (not more than 40 years from their date) 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 Directors, 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 Directors 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 and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2. One or more District 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 the scheduled Election Day, or as soon thereafter as is reasonably practicable, the District, acting through the President of the Board of Directors, the Office Manager, or their designees, in coordination with the Administrator, or the designee thereof, 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 Administrator, the District, and the Participants to the extent permitted by applicable law.

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). 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 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 District 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 Board 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:

VICTORIA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2
MEASURE A

“THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED \$3,110,000 FOR WATERWORKS, SANITARY SEWER, STORM SEWER, AND SOLID WASTE DISPOSAL SYSTEMS AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”

SECTION 6. All resident, qualified voters of the District shall be permitted to vote at the Election, and, on Election Day, such voters shall vote at the designated polling places. 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 in a newspaper of general circulation in the District not more than 30 days, and not less than 10 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 at least 21 days prior to Election Day (i) on the bulletin board used for posting notice of the Board; (ii) at three additional public places within the District, (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. A sample ballot shall be posted on the District’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 District, as of the date of this order, had outstanding an aggregate principal amount of debt equal to \$0.00; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$0.00; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.00 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 3.9% (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 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 20-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 Board authorizes its President or Office Manager, or the designees 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 Board is evidenced herein. In addition, the District authorizes its President or General Manager, or the designees thereof, 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 Board, as 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 Board.

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 and the Texas Water Code, as amended.

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 Board 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// Kathy Moses, Secretary, Board of Directors, Victoria County Water Control and Improvement District No. 2

Exhibit A

ELECTION PRECINCT AND ELECTION DAY POLLING LOCATION

Election Day: November 7, 2023

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

Location of Election Day Polling Places Include Name of Building and Address		Precinct Number(s)
Hopkins Elementary School - Ft Foyer	101 Hopkins Rd., Victoria, TX 77901	1
Victoria Public Library – Bronte Rm	302 N Main St., Victoria, TX 77901	2
Patti Welder Middle School-Gym	1604 E. North St., Victoria, TX 77901	4
Victoria College, Student Center Rm 114	2200 E Red River, Victoria, TX 77901	5
O’Connor Elementary School – Hallway	3402 Bobolink St, Victoria, TX 77901	7
Shields Elementary School – Hall by Rm 7	3400 Bluebonnet St., Victoria, TX 77901	8
Fine Arts Center Annex	1002 Sam Houston Dr., Victoria, TX 77901	10
Precinct 4 Portable Bldg.	14721 J-2 Ranch Rd., Victoria, TX 77901	11
Placedo VFD	284 S. Williams, Placedo, TX 77977	12
The Gym in Bloomington	12657 St. Hwy 185, Bloomington, TX 77951	13
DaCosta VFD	144 Commerce Ave., Victoria, TX 77905	14
Aloe Elementary School	62 Chaparral Dr., Victoria, TX 77905	18
Smith Elementary School	2901 Erwin St., Victoria, TX 77901	19
Service Supply of Victoria, Inc.	16012 NW Zac Lentz Pkwy., Victoria, TX	20
Vickers Elementary School	708 Glasgow, Victoria, TX 77904	21
Mission Valley VFD	34 Reinecke Rd., Victoria, TX 77905	22
Precinct No. 2 Service Center	13323 Nursery Dr., Nursery, TX 77976	23
Grace Memorial Chapel	8919 US Hwy. 87 N, Victoria, TX 77904	24
Rowland Elementary School	2706 Leary Ln., Victoria, TX 77904	25
Telferner Methodist Church	81 Old Hwy Rd., Telferner, TX 77988	26
Inez VFD	296 Railroad St., Inez, TX 77968	27
Wood Hi Community Center	101 Wood Hi School Rd., Inez, TX 77968	28
DeLeon Elementary School	1002 Santa Barbara, Victoria, TX 77904	29
Our Saviour’s Lutheran Church	4102 N. Ben Jordan, Victoria, TX 77904	30
Holy Family Catholic Church	704 Mallette Dr., Victoria, TX 77904	33
Patti Dodson Public Health Center	2805 N Navarro, Victoria, TX 77901	

*** 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 above. Preliminary, subject to change. If any locations are changed, this will be reflected on the Victoria County elections website <https://www.vctxelections.org/>

Exhibit B

EARLY VOTING

Early voting begins October 23, 2023 and ends on November 3, 2023

Early Voting Clerk: Margetta Hill, 2805 N. Navarro St., Victoria, Texas 77901

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

Main Early Voting Polling Location, Dates, and Times

Pattie Dodson Public Health Center, 2805 N. Navarro, Class Room A, Victoria, Texas

Dates	Times
Monday, October 23, 2023 – Friday, October 27, 2023	8:00 a.m. – 5:00 p.m.
Monday, October 30, 2023 - Wednesday, November 1, 2023	8:00 a.m. – 5:00 p.m.
Thursday, November 2, 2023 – Friday, November 3, 2023	7:00 a.m. – 7:00 p.m.

Preliminary, subject to change. If any locations are changed, this will be reflected on the Victoria County elections website <https://www.vctxelections.org/>

Early Voting By Mail

Applications for voting by mail should be mailed to be received no later than the close of business (5:00 p.m.) on October 27, 2023. Applications should be sent to:

Margetta Hill
Early Voting Clerk
2805 N. Navarro St.
Victoria, Texas 77901
fax: (361) 582-5940
email: elections@vctx.org

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.

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Exhibit C

VOTER INFORMATION DOCUMENT

Victoria County Water Control and Improvement District No. 2 Measure A:

<input type="checkbox"/> FOR	“THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED \$3,110,000 FOR WATERWORKS, SANITARY SEWER, STORM SEWER, AND SOLID WASTE DISPOSAL SYSTEMS AND THE LEVYING OF A TAX IN PAYMENT THEREOF.”
<input type="checkbox"/> AGAINST	

principal of debt obligations to be authorized	\$3,110,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 3.9%	\$1,608,285
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 20 years	\$4,718,285
as of the date the election was ordered, principal of all outstanding debt obligations	\$0.00
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$0.00
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 0 years	\$0.00
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 the amortization of the District’s debt obligations, including outstanding debt obligations and the proposed debt obligation; and presumes growth in taxable value of 3% in 2024-2025, 3% in 2025-2026, and 0% thereafter.	\$80.00

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