

ORDER CALLING BOND ELECTION

**THE STATE OF TEXAS
COUNTY OF WALLER
BROOKSHIRE MUNICIPAL WATER DISTRICT**

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WHEREAS, pursuant to Section 49.152, Texas Water Code, as amended, Brookshire Municipal Water District, a political subdivision of the State of Texas (the "District"), has the authority to call an election for the issuance of bonds for the purposes of designing and constructing water and wastewater facilities; and

WHEREAS, pursuant to Section 54.503, Texas Water Code, as amended, the District has the authority to repay the principal and interest on such bonds from the imposition of an annual ad valorem tax on all taxable property within the boundaries of the District; and

WHEREAS, Section 54.505, Texas Water Code, provides that bonds payable wholly or partially from ad valorem taxes shall not be issued until authorized by a majority vote of the resident electors of the District voting in an election called and held for that purpose; and

WHEREAS, as required by Section 49.106, Texas Water Code, there has been filed in the office of the District open to inspection by the public, an engineer's report, covering the land, improvements, facilities, plants, equipment, and appliances to be purchased or constructed and their estimated cost, together with maps, plats, profiles and data fully showing and explaining the report (the "Engineering Report"), and the Engineering Report has been carefully considered by the Board of Directors of the District (the "Board") and has been approved by the Board; and

WHEREAS, the Board finds and determines that it will be in the best interest of the District to obtain authorization for the issuance of bonds for such purposes and that such bonds be repaid from the imposition of an annual ad valorem tax on all taxable property within the boundaries of the District; and

WHEREAS, pursuant to Section 41.001, Texas Election Code, as amended, the District is required to hold any and all elections on uniform election dates designated for the State of Texas; and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to call a bond election for the next uniform election date, which is Saturday, May 3, 2025 (the "Election"); and

WHEREAS, the Board of the District deems it necessary and appropriate to establish the procedures whereby such Election may be held; and

WHEREAS, the Board has determined that the number of registered voters in the District is more than 1,000, which pursuant to Section 85.005(b), Texas Election Code, as amended, requires that the polls be open for early voting for a minimum of nine (9) hours each weekday, except legal state holidays; and

WHEREAS, Section 61.012, Texas Election Code, requires that the District must provide at least one (1) accessible voting system in each polling place used in the Election, which must comply with State and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot; and

WHEREAS, Sections 123.032 and 123.035, Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems; and

WHEREAS, the Office of the Texas Secretary of State has certified that the Hart InterCivic, Verity Duo 2.5 Voting System provided by Waller County is an accessible voting system that may legally be used in Texas elections; and

WHEREAS, Section 271.002, Texas Election Code provides that if elections ordered by the authorities of two (2) or more political subdivisions are to be held on the same day in all or part of the same county, the governing bodies of the political subdivisions may enter into an agreement to hold the elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, the Board has determined that it will conduct a joint election with, and such election will be administered by Waller County pursuant to the Joint Election Agreement.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT, THAT:

I.

An Election shall be held for and within the District from 7:00 a.m. to 7:00 p.m. on the 3rd day of May, 2025, at all Waller County countywide polling places described on the attached **Exhibit "A,"** which may be updated subsequent to the adoption of this Order, as additional polling places are identified by Waller County, for the authorization of the issuance of bonds for water and wastewater facilities to be repaid from the imposition of an annual ad valorem tax on all property within the boundaries of the District. Polling locations and more information regarding voting centers is located at www.co.waller.tx.us/page/2025%20County%20and%20Entity%20Elections.

II.

Such Election shall be held and conducted in all respects as provided by law for general elections, except as provided by Chapter 49, Texas Water Code, as amended.

III.

All duly qualified resident voters of the District shall be allowed to vote at such Election.

IV.

The Board has appointed its Attorney, Radcliffe Adams Barner PLLC (the "Attorney"), 2929 Allen Parkway, Suite 3450, Houston, Harris County, Texas 77019-7120, as the designated agent for purposes of the Election, and any and all documents required to be filed with or notices required to be given by the Secretary of the Board under the provisions of the Texas Election Code shall be deemed filed and notices shall be deemed given if filed with or given to the Board's Attorney.

V.

The Secretary of the Board shall give notice of the purpose of such Election, the proposition(s) to be voted on, and the early voting and Election Day polling places pursuant to Sections 4.003(a)(2) and 4.003(b), Texas Election Code, as amended, by posting a Notice of Election with the requisite Waller County translation(s) in a public place in each Election precinct that is within the boundaries of the District, on the bulletin board used for posting notices of meetings of the Board of the District and on the District's website not later than Saturday, April 12, 2025; provided, further, that if the polling location(s) has changed from the previous election, the Notice of Election with the requisite Waller County translation(s) shall also be posted at the location of the previous polling place(s).

Additionally, pursuant to Section 4.003(f), Texas Election Code, because the Election is a debt obligation election, this Order shall be posted: 1) on Election Day and during early voting by personal appearance, in a prominent location at each polling place; and 2) not later than Saturday, April 12, 2025, in three (3) public places within the boundaries of the District; and 3) during the 21 days before the Election, on the District's website, prominently and together with the Notice of Election, the contents of the proposition, and any sample ballot prepared for the Election.

VI.

The Notice of the Election, the provisions of which are made a part of this Order, shall be in substantially the following form:

NOTICE OF ELECTION

TO THE DULY QUALIFIED RESIDENT VOTERS OF BROOKSHIRE MUNICIPAL WATER DISTRICT:

Notice is hereby given that a bond election (the "Election") will be held for and within Brookshire Municipal Water District (the "District"), pursuant to an Order of the Board of Directors (the "Board") of said District adopted on February 3, 2025. Said Order is on file in the District's Designated Agent's office located at 2929 Allen Parkway, Suite 3450, Houston, Texas 77019-7120, where any interested person may refer to it for all purposes.

- (1) The Election will be held between 7:00 a.m. and 7:00 p.m. on Saturday, May 3, 2025, at all Waller County countywide polling places described on the attached **Exhibit "A,"** which are all public places, and shall conform to all the requirements of Chapter 49, Texas Water Code, as amended, and all of the requirements of the Texas Election Code, as amended, so far as applicable.
- (2) The internet website of the District is <https://www.brookshiremwd1.org/>.
- (3) Only duly qualified resident electors of the District may vote at the Election.
- (4) The bond propositions to be voted on in the Election are as follows:

PROPOSITION A

SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE THE BONDS OF THE DISTRICT, MATURING SERIALLY OR OTHERWISE OVER A PERIOD NOT TO EXCEED 40 YEARS FROM THEIR DATE OR DATES, AND TO BE ISSUED AND SOLD AT ANY PRICE OR PRICES AND TO BEAR INTEREST AT ANY RATE OR RATES AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE BOARD OF THE DISTRICT AT THE TIME OF ISSUANCE AS AUTHORIZED BY LAW AS NOW ENACTED OR HEREAFTER AMENDED, FOR THE PURPOSES OF DESIGNING, PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, OPERATING, REPAIRING, REPLACING, IMPROVING AND EXTENDING WATER AND WASTEWATER FACILITIES WITHIN THE DISTRICT IN THE MAXIMUM AMOUNT NOT TO EXCEED \$32,000,000, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX AUTHORIZED BY CHAPTERS 49 AND 54 OF THE TEXAS WATER CODE, UPON ALL TAXABLE PROPERTY WITHIN THE DISTRICT OR THE PLEDGE OF THE NET REVENUES FROM THE OPERATION OF SUCH WATER AND WASTEWATER SYSTEM AFTER DEDUCTION OF REASONABLE COSTS OF PROVIDING FOR THE ADMINISTRATION, EFFICIENT OPERATION AND ADEQUATE MAINTENANCE OF THE DISTRICT'S SERVICE FACILITIES OR A COMBINATION OF THE PLEDGE OF SUCH TAXES AND SUCH REVENUES, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

- (5) The District's Board and the District's consultants estimate the following costs for designing, purchasing, constructing, acquiring, owning, operating, repairing, replacing, improving conveying, maintaining or extending water and wastewater facilities within the District:

**BROOKSHIRE MUNICIPAL WATER DISTRICT
BOND AUTHORIZATION SUMMARY OF COSTS**

Estimated Design, Construction, Purchase and Acquisition Costs		Amount
1.	Wastewater Treatment Plant Improvements	\$ 17,500,000
2.	Water Plant Improvements	\$ 10,500,000
TOTAL ESTIMATED DESIGN, CONSTRUCTION, PURCHASE AND ACQUISITION COSTS		
(87.5% of Bond Issuance Requirement ("BIR"))		\$ 28,000,000
Estimated Non-construction Costs		
3.	Legal Fees	\$ 640,000
4.	Financial Advisor Fees	\$ 525,000
5.	Developer Interest Costs	\$ 0
6.	Capitalized Interest	\$ 1,440,000
7.	Bond Discount (3% of BIR)	\$ 960,000
8.	Bond Issuance Costs	\$ 145,000
9.	Attorney General Fee (0.10% of BIR)	\$ 30,000
10.	TCEQ Bond Issuance Fee (0.25% of BIR)	\$ 80,000
11.	Bond Application Report Costs	\$ 180,000
TOTAL NON-CONSTRUCTION COSTS (12.5% of BIR)		\$ 4,000,000
TOTAL BOND ISSUANCE REQUIREMENT		\$ 32,000,000

The report fully explaining the costs listed above, and required by Section 49.106 of the Texas Water Code, is on file in the District's office and open to inspection by the public.

- (6) As required by and in accordance with Section 3.009(b), Texas Election Code:
- a. Should the issuance of the bonds that are the subject of this Election be authorized, the Board shall be authorized to issue such bonds and to levy a sufficient ad valorem tax rate, without limit as to rate or amount, upon all taxable property within the District or the pledge of the net revenues from the operation of the District's Water and Wastewater System after deduction of reasonable costs of providing for the administration, efficient operation and adequate maintenance of the District's service facilities or a combination of the pledge of such taxes and such revenues, to pay for the principal of and interest on such bonds.
 - b. Based upon market conditions as of the date of the Election Order, if the Bonds are approved and authorized, the maximum interest rate of the debt obligations, or any series of the debt obligations, is estimated to be 4.50%. The actual interest rate of the bonds, or any series of the bonds, may be either higher or

lower and will depend upon general market conditions at the date the bonds are issued.

- c. The bonds that are the subject of this Election shall mature serially or otherwise over a period not to exceed 40 years from their date or dates as prescribed by applicable Texas law.
 - d. The District's aggregate outstanding principal on bonds secured by ad valorem taxes as of the date of the Election Order is \$545,000.
 - e. The District's aggregate outstanding interest on bonds secured by ad valorem taxes as of the date of the Election Order is \$143,994.
 - f. The District's ad valorem debt service tax rate as of the date of the Election Order is \$0.014 per \$100.00 valuation of taxable property.
- (7) The officers of such Election shall be appointed by the Waller County Commissioner's Court.
- (8) Early Voting by personal appearance shall be conducted on the days and at the times and locations listed on the attached **Exhibit "A."**
- (9) The Early Voting Clerk shall receive applications for early voting ballots by mail through Tuesday, April 22, 2025, which is 11 days prior to the Election. The Early Voting Clerk shall receive voted early voting ballots by mail through 7:00 p.m. on Saturday, May 3, 2025, if not postmarked, or through Monday, May 5, 2025, if postmarked by 7:00 p.m. on Election Day. Applications for voting by mail may be mailed to the Early Voting Clerk at:

If by regular mail or Christy A. Eason
common/contract courier: Waller County Elections Administrator
816 Wilkins Street
Hempstead, Texas 77445

If by email: vote@wallercounty.us*

If by facsimile: 979-826-7645*

*original Application for Ballot by Mail must be received by the Elections Department within four (4) days of fax or email.

The Early Voting Clerk/Election Administrator's phone number is 979-826-7643 and internet website is: <https://www.co.waller.tx.us/page/Elections.current>.

- (10) The Election shall be held and conducted and returns made to the Board of the District in accordance with the Texas Election Code, as modified by Chapters 49 and 54, Texas Water Code, as amended.

/s/ Stephanie Green
President, Board of Directors

ATTEST:

/s/ Erin Jackson
Secretary, Board of Directors

VII.

The ballots for such Election shall be prepared in sufficient number and in conformity with the Texas Election Code, as amended, and shall be substantially as follows:

BROOKSHIRE MUNICIPAL WATER DISTRICT

Bond Election
Saturday, May 3, 2025

OFFICIAL BALLOT

PROPOSITION A

()	FOR)	
()	AGAINST)	THE ISSUANCE OF \$32,000,000 BONDS AND LEVY OF TAXES AND THE PLEDGE OF NET REVENUES ADEQUATE TO PROVIDE FOR PAYMENT OF THE BONDS FOR WATER AND WASTEWATER SYSTEMS TO SERVE THE DISTRICT AND THE IMPOSITION OF TAXES, WITHOUT LIMIT AS TO RATE OR AMOUNT, SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS

Hart InterCivic, Verity Duo 2.5 Voting System Instructions:

To vote for or against the proposition, select your choice on the touch screen or rotate the MOVE wheel to highlight your choice. When your choice is highlighted, press the NEXT button.

Paper Ballot Instructions:

Mark the ballot by placing an "X" in the space beside your choice.

VIII.

The District hereby adopts the Hart InterCivic, Verity Duo 2.5 Voting System to be used for all elections held by the District from the date of this Order. At least one (1) Hart InterCivic, Verity Duo 2.5 Voting System shall be provided in each polling place in every polling location used to conduct the Election. The Hart InterCivic, Verity Duo 2.5 Voting System may be acquired by any legal means available to the District, including, but not limited to, purchase, lease or rental from Waller County or from any other legal source, as authorized or required by Sections 123.032 and 123.035, Texas Election Code.

IX.

Voting shall be by the use of the Hart InterCivic, Verity Duo 2.5 Voting System and paper ballots which shall be printed in English and Spanish.

X.

Immediately after the Election, the election officers shall make returns of the results in triplicate. One (1) copy shall be retained by the Presiding Judge, one (1) copy shall be delivered to the President of the Board, and one (1) copy shall be delivered to the Secretary of the Board.

XI.

The President or Vice President and Secretary or any Assistant Secretary of the Board are hereby authorized to evidence adoption of this Order and directed to do any and all things legal and necessary in connection with the holding and consummation of such election and to carry out the intent hereof.

XII.

If any provision, section, sentence, clause or phrase of this Order is held by any reason to be invalid, such invalid portions shall not affect the validity of the remaining portion of this Order.

(EXECUTION PAGE FOLLOWS)

WITNESS OUR HANDS AND THE SEAL OF THE DISTRICT this 3rd day of February, 2025.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(DISTRICT SEAL)