

ORDER NO. \_\_\_\_\_

AN ORDER CALLING A BOND ELECTION TO BE HELD IN EL PASO COUNTY, TEXAS; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; AND RESOLVING OTHER MATTERS RELATED TO SUCH ELECTION

WHEREAS, the Commissioners Court (the *Court*) of EL PASO COUNTY, TEXAS (the *County*) hereby finds that a special election (the *Election*) should be held to determine whether the County will be authorized to issue bonds in the amount and for the purposes identified in this order (the *Order*); and

WHEREAS, the County, through its Elections Administrator, will conduct the Election according to the Texas Election Code, as amended (the *Code*), and other applicable state and federal laws; and

WHEREAS, the Court hereby finds that the actions described above are in the best interests of the residents of the County; now, therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS THAT:

SECTION 1. Election Ordered; Purpose; Amount. The Election shall be held in EL PASO COUNTY, TEXAS on November 5, 2024 (*Election Day*), which is a uniform election date under the Code and not less than 78 days nor more than 90 days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following measures to the qualified voters of the County:

MEASURE A (PARKS)

Will the Commissioners Court of El Paso County, Texas, be authorized to issue and sell bonds in the aggregate principal amount not to exceed \$95,615,000, for the public purpose of constructing, rehabilitating, renovating, improving, upgrading, updating, expanding, enlarging, and equipping the County's parks and recreational spaces and the acquisition of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

### MEASURE B (ME'S OFFICE)

Will the Commissioners Court of El Paso County, Texas, be authorized to issue and sell bonds in the aggregate principal amount not to exceed \$26,700,000, for the public purpose of constructing, rehabilitating, renovating, improving, upgrading, updating, expanding, enlarging, and equipping facilities for the County's Office of the Medical Examiner and the acquisition of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

### MEASURE C (COURTHOUSES)

Will the Commissioners Court of El Paso County, Texas, be authorized to issue and sell bonds in the aggregate principal amount not to exceed \$63,285,000, for the public purpose of constructing, rehabilitating, renovating, improving, upgrading, updating, expanding, enlarging, and equipping the County's courthouse, sub courthouses, and related annexes and the acquisition of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

### MEASURE D (COLISEUM)

Will the Commissioners Court of El Paso County, Texas, be authorized to issue and sell bonds in the aggregate principal amount not to exceed \$105,485,000, for the public purpose of constructing, rehabilitating, renovating, improving, upgrading, updating, expanding, enlarging, and equipping the El Paso County Coliseum and adjacent facilities and the acquisition of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of

issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

#### MEASURE E (ANIMAL SHELTER)

Will the Commissioners Court of El Paso County, Texas, be authorized to issue and sell bonds in the aggregate principal amount not to exceed \$32,710,000 for the public purpose of constructing, rehabilitating, renovating, improving, upgrading, updating, expanding, enlarging, and equipping the County's Animal Shelter and the acquisition of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date, and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the Commissioners Court in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said county in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

SECTION 2. Ballots. The official ballots will permit voters to vote "FOR" or "AGAINST" the measures above with the following ballot language:

#### EL PASO COUNTY PROPOSITION A

The issuance of bonds in an amount not to exceed \$95,615,000 for the County's parks and recreational spaces and the levy of taxes sufficient to pay the principal of and interest on the bonds.

#### EL PASO COUNTY PROPOSITION B

The issuance of bonds in an amount not to exceed \$26,700,000 for facilities for the County's Office of the Medical Examiner and the levy of taxes sufficient to pay the principal of and interest on the bonds.

#### EL PASO COUNTY PROPOSITION C

The issuance of bonds in an amount not to exceed \$63,285,000 for the County's courthouse, sub courthouses, and related annexes and the levy of taxes sufficient to pay the principal of and interest on the bonds.

### EL PASO COUNTY PROPOSITION D

The issuance of bonds in an amount not to exceed \$105,485,000 for the County's Coliseum and adjacent facilities and the levy of taxes sufficient to pay the principal of and interest on the bonds.

### EL PASO COUNTY PROPOSITION E

The issuance of bonds in an amount not to exceed \$32,710,000 for the County's Animal Shelter and the levy of taxes sufficient to pay the principal of and interest on the bonds.

#### SECTION 3. Polling Details.

A. One or more County election precincts are established for Election Day from 7:00 a.m. to 7:00 p.m. with one or more corresponding polling places as identified on Exhibit A to this Order. As permitted by the Code, polling places may be changed without further Court action; any changes will not affect this Order or subsequent notice of election.

B. Exhibit A also includes the places, dates, and hours for early voting in person. As permitted by the Code, these details may be changed without further Court action; any changes will not affect this Order or subsequent notice of election. Applications for voting by mail should be received no later than the close of business on October 25, 2024. Applications should be sent to the Early Voting Clerk named below. 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.

SECTION 4. Election Officials. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations will include a person fluent in the Spanish language.

A. The Election Official will appoint Presiding Judges, Alternate Presiding Judges, and Election Clerks.

B. The Early Voting Clerk is: Lisa Renee Wise; mailing and physical address: 500 E. San Antonio, Suite 314, El Paso 79901; phone: (915) 546-2154; fax: (915) 546-2220; and email: ballotrequests@epcounty.com. The Early Voting Clerk will appoint the Deputy Early Voting Clerks.

C. The Election Official is authorized to establish an Early Voting Ballot Board and to designate the Presiding Judge of the Early Voting Ballot Court and, if needed, the members of Signature Verification Committee.

D. The Election Official is authorized to use a Central Counting Station (the *Station*) if needed. The Election Official or the Election Official's designee is appointed as the Manager of the Station with the authority to appoint the Tabulation Supervisor, the Programmer, and any Clerks.

SECTION 5. Qualified Voters. The County's qualified voters (as defined by the Code) will be entitled to vote in the Election at the dates, times, and places reflected on Exhibit A.

SECTION 6. Legal Compliance. The Election and notice of Election will be held and conducted according to the Code and other applicable law. To the extent required by law, materials relating to the Election will be printed in English, Spanish, and any other required language.

SECTION 7. Debt Obligations. The following information is calculated based on bond market conditions as of the date of the adoption of this Order; is further explained in one or more voter information documents attached to this Order as exhibits; and is not intended to serve as a cap or other restriction should the bonds be authorized at the Election.

A. The aggregate amount of the outstanding principal of the County's debt totaled \$231,628,188.00 (including maintenance tax debt, if any).

B. The aggregate amount of the interest owed on the County's debt obligations, through respective maturity, totaled \$54,123,996.54.

C. The County levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.051905 per \$100 of taxable assessed valuation.

D. The maximum maturity of the bonds that are the subject of this Election will not exceed the maximum number of years authorized by Texas law.

E. The maximum interest rate for any series of bonds authorized at the Election is 6.5% (expressed as a net effective interest rate).

F. This Order is intended to satisfy the official requirements set forth in section 1.150-2 of the United States Treasury Regulations.

SECTION 8. Modifications. The Court acknowledges that information required to complete the Exhibits to this Order may not be available when the Election is ordered, and the Court therefore authorizes the County Judge, the Election Official, or their designees to correct, modify, or change the Exhibits to the extent permitted by applicable law. Additionally, the Court authorizes these individuals to make technical modifications to this Order that are necessary for compliance with applicable law or to carry out the intent of the Court as evidenced in this Order.

SECTION 9. Findings. The recitals contained in the preamble of this Order are found to be true.

SECTION 10. Conflicts. 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 will be and remain controlling as to the matters ordered herein.

SECTION 11. Controlling Law. This Order will be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12. Open Meetings. 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 13. Severability. If any provision of this Order or the application of this Order to any person or circumstance is held invalid, then the remainder of this Order remains effective.

*[The remainder of this page intentionally left blank.]*

PASSED AND APPROVED on August 12, 2024.

COUNTY OF EL PASO, TEXAS

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Ricardo A. Samaniego  
County Judge

ATTEST:

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Delia Briones  
County Clerk and Ex-Officio Clerk of the  
Commissioners Court of El Paso County, Texas

(SEAL OF COMMISSIONERS COURT)