

AN ORDER CANCELLING THE BOND ELECTION TO BE HELD IN THE POTH INDEPENDENT SCHOOL DISTRICT ON NOVEMBER 8, 2022; AND ADDRESSING OTHER MATTERS INCIDENTAL THERETO

WHEREAS, pursuant to an order passed by the Board of Trustees (the *Board*) of the Poth Independent School District (the *District*) on August 10, 2022, a bond election was ordered to be held in the District on November 8, 2022 (the *Election*), being a uniform election date prescribed by Section 41.001 of the Texas Election Code, as amended (the *Code*); and

WHEREAS, pursuant to Section 2.081 and Section 2.082 of the Code, the District may cancel a moot bond election when voting has not started; and

WHEREAS, the Board hereby finds and determines that the Election has been rendered moot by sudden and unexpected changes in the economy and supply chains for construction in school districts; and

WHEREAS, the Board hereby finds and determines that voting in the Election has not yet started; and

WHEREAS, the Board hereby finds and determines that all proceedings and actions to date with respect to the Election have been proper and appropriate; and

WHEREAS, the Board hereby finds and determines that cancelling the Election is in the best interests of the residents of the District; now, therefore

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

SECTION 1. The Election is hereby cancelled as moot pursuant to the findings above and is subject to recall by order of the Board should circumstances change.

SECTION 2. The Secretary of the Board will post notice or cause to be posted a copy of this order (a) on the District's website; (b) on the District's bulletin board where notice of Board meetings is routinely made; and (c) at each polling place that would have been used for the Election during early voting by personal appearance and on election day in compliance with Section 2.081 of the Election Code, as amended.

SECTION 3. 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 4. 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and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordained herein.

SECTION 5. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. 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 as modified by the Open Meetings Order.

SECTION 7. 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 this Board hereby declares that this Order would have been enacted without such invalid provision.

PASSED AND APPROVED on September 14, 2022.

POTH INDEPENDENT SCHOOL DISTRICT



Clint Garza
President, Board of Trustees

ATTEST:



Erika Urbanczyk
Secretary, Board of Trustees

(DISTRICT SEAL)