

BANQUETE INDEPENDENT SCHOOL DISTRICT
PUBLIC NOTICE

At its meeting to be held at the Board of Trustees Meeting Room located at 4339 Fourth Street, Banquete, Texas on November 15, 2023, at 6:30 p.m., the Board of Trustees (the "Board of Trustees") of the Banquete Independent School District (the "District") will consider engaging Escamilla & Poneck, LLP ("E&P"), as bond counsel, in connection with the future issuances of bonds or other obligations of the District (the "Bonds").

Pursuant to Section 2254.1036, Texas Government Code, the following written notice is given to the public:

- (A) The reason for pursuing issuance of Bonds in the future (the matter that is the subject of the legal services for which E&P would be retained) is to finance one or more projects or infrastructure improvements of the District in the future or to refund previously issued obligations in the future. The desired outcome of the matter is to ensure any Bonds issued in the future are done so in accordance with state law, federal tax law and securities law.
- (B) Escamilla & Poneck, LLP has a nationally recognized public finance practice and has provided public finance legal services since 1992. E&P has advised numerous clients on state, federal tax and securities law matters in connection with hundreds of public finance transactions.
- (C) E&P has had previous relationship with the District or the Board of Trustees as Bond Counsel.
- (D) Bond Counsel services are highly specialized legal services involving guidance in state, federal tax and securities law. The services require competences, experience and legal knowledge which are not normally had by District attorneys and the District's supporting personnel. Additionally, public finance industry standards necessitate the engagement of outside Bond Counsel. As such, legal services cannot be adequately performed by the attorneys and supporting personnel of the District.
- (E) E&P provide their services on a fixed, contingency fee basis with such fee being paid from Bond proceeds. The District cannot reasonably engage attorneys for bond counsel services under hourly fee contracts without contingency because then the District would have to pay such bond counsel fees from the District's unrestricted general funds or other lawfully available funds, if any, regardless of whether the Bonds are successfully issued, and such funds are limited and needed for other uses.
- (F) A contingency fee contract for bond counsel services is in the best interest of the residents of the District on the basis of the following: (1) the District has the benefit of receiving and relying on the legal advice of a qualified and experience legal counsel; (2) the District is able to rely on the legal advice of bond counsel throughout all preparatory actions relating to issuance of a bond without having to pay significant fees during the process; (3) the District's decisions to postpone an action, including an election and sale or issuance of

Bonds does not result in paying additional legal fees; (4) a contingency fee allows the District to pay for and capitalize fees for the bond counsel and all related fees out a debt fund rather than from the District's maintenance and operations funds; and (5) the fees are fixed and only become due and payable when Bonds are successfully issued.

POSTED ON DISTRICT'S WEBSITE AND DATED: November 9, 2023.