

ORDER CALLING A BOND ELECTION

THE STATE OF TEXAS
COUNTY OF TARRANT
BIRDEVILLE INDEPENDENT SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the Birdville Independent School District (the “District”) deems it advisable to call the bond election hereinafter ordered (the “Election”); and

WHEREAS, the bond referendum is subject to the provisions of Section 45.003, Texas Education Code, and the District is contracting with Tarrant County, Texas (the “County”) for the administration of the Election pursuant to an interlocal agreement with the County (the “Election Contract”); and

WHEREAS, the County, acting through the Tarrant County Elections Administrator (the “Elections Administrator”) in accordance with the Election Contract, will provide for the administration of the Election; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by the Texas Government Code, Chapter 551;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE BIRDEVILLE INDEPENDENT SCHOOL DISTRICT:

Section 1. Findings. The statements contained in the preambles of this Order are true and correct and adopted as findings of fact and operative provisions hereof.

Section 2. Election Ordered; Polling Places. The Election shall be held in the District between the hours of 7:00 a.m. and 7:00 p.m. on November 8, 2022 (“Election Day”). The Election is to be conducted by the County, as provided by Chapter 271, Texas Election Code (the “Code”), and the Election Contract. On Election Day, voting for the Election shall occur during the hours stated above at the designated polling places as set forth in **Exhibit A** attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and the Code.

Section 3. Early Voting. Early voting shall be administered by the County. Early voting by personal appearance shall begin on October 24, 2022 and conclude on November 4, 2022, and will be conducted at the Early Voting locations on the dates and at the times specified in **Exhibit B** attached hereto. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the District at such voting place. **Exhibit B** shall be modified to include additional or different early voting polling places required to conform to the Election Contract and the Code.

Section 4. Election Officials. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrator in accordance with the Election Contract and the Code. The Elections Administrator may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station. The Board hereby authorizes the Superintendent, the Associate Superintendent of Finance & Auxiliary Services, and the President, Vice President and Secretary of the Board to execute or attest on behalf of the District the Election Contract with the County.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the District shall be submitted, prior to the applicable deadline prescribed by law, by (i) personal delivery to Tarrant County Elections, 2700 Premier Street, Fort Worth, Texas 76111-3011, or (ii) mail to Tarrant County Elections, PO Box 961011, Fort Worth, Texas 76161-0011.

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the District, shall be entitled to vote at the election.

Section 8. Propositions. At the Election the following PROPOSITIONS shall be submitted in accordance with law:

**BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION
BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION A**

Shall the Board of Trustees of the Birdville Independent School District be authorized to issue bonds of the District, in one or more series, in the aggregate principal amount of \$284,714,315 for the purpose of constructing, renovating, improving and equipping school facilities in the District, including the acquisition of land therefor and the acquisition of new school buses, with the bonds to mature, bear interest and be issued and sold in accordance with law at the time of issuance; and shall the Board of Trustees 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?

**BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION
BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION B**

Shall the Board of Trustees of the Birdville Independent School District be authorized to issue bonds of the District, in one or more series, in the aggregate principal amount of \$16,061,775 for the purpose of acquiring and updating instructional technology equipment, with the bonds to mature, bear interest and be issued and sold in accordance with law at the time of issuance; and shall the Board of Trustees 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?

**BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION
BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION C**

Shall the Board of Trustees of the Birdville Independent School District be authorized to issue bonds of the District, in one or more series, in the aggregate principal amount of \$59,000,000 for the purpose of constructing, improving and equipping multi-purpose indoor facilities at each high school, with the bonds to mature, bear interest and be issued

and sold in accordance with law at the time of issuance; and shall the Board of Trustees 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 9. Ballots. The official ballots for the Election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote “FOR” or “AGAINST” the aforesaid PROPOSITIONS, with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITIONS to be expressed substantially as follows:

BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION

BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION A

FOR _____) THE ISSUANCE OF \$284,714,315 OF BONDS BY THE BIRDVILLE
) INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF
) CONSTRUCTING, RENOVATING, IMPROVING AND EQUIPPING
) SCHOOL FACILITIES IN THE DISTRICT, INCLUDING THE
 AGAINST _____) ACQUISITION OF LAND THEREFOR AND THE ACQUISITION OF
) NEW SCHOOL BUSES AND LEVYING THE TAX IN PAYMENT
) THEREOF. THIS IS A PROPERTY TAX INCREASE.

BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION

BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION B

FOR _____) THE ISSUANCE OF \$16,061,775 OF BONDS BY THE BIRDVILLE
) INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF
) ACQUIRING AND UPDATING INSTRUCTIONAL TECHNOLOGY
 AGAINST _____) EQUIPMENT, AND LEVYING THE TAX IN PAYMENT THEREOF. THIS
) IS A PROPERTY TAX INCREASE.

BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION

BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION C

FOR _____) THE ISSUANCE OF \$59,000,000 OF BONDS BY THE BIRDVILLE
) INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF
) CONSTRUCTING, IMPROVING AND EQUIPPING MULTI-PURPOSE
 AGAINST _____) INDOOR FACILITIES AT EACH HIGH SCHOOL AND LEVYING THE
) TAX IN PAYMENT THEREOF. THIS IS A PROPERTY TAX INCREASE.

Section 10. Compliance with Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act (“HAVA”) and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The District hereby finds that the voting system to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the District in its elections.

Section 11. Debt Obligations. The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code.

(a) The proposition language that will appear on the ballot is set forth in Section 9 hereof.

(b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.

(c) The principal amount of the debt obligations to be authorized is set forth in Section 8 hereof.

(d) If the bonds are approved by the voters, the Board will be authorized to levy 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.

(e) Based on the bond market conditions on the date of adoption of this Order, the maximum interest rate for any series of the bonds is estimated to be 5.00%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

(f) If the bonds are approved, they may be issued in one or more series, to mature over a period not to exceed 40 years from the date of issuance of each series of bonds, though the District estimates that, based on the bond market conditions on the date of adoption of this Order, the bonds will amortize over a 25-year period from their respective date of issuance.

(g) The aggregate amount of the outstanding principal of the District's debt obligations secured by debt service taxes as of the date of this Order is \$408,955,000.00.

(h) The aggregate amount of the outstanding interest of the District's debt obligations secured by debt service taxes as of the date of this Order is \$159,103,800.23.

(i) The ad valorem debt service tax rate for the District as of the date of this Order is \$0.4139 per \$100 of taxable assessed valuation.

(j) The website for the District (as the authority conducting the election) is <https://www.birdvilleschools.net> and the website for the County (as the entity administering the election) is <https://www.tarrantcounty.com/en/elections.html>.

Exhibit A

Election Day Hours

November 8, 2022
7:00 am - 7:00 pm

Election Day Polling Locations

To be updated to reflect information in Election Contract

Exhibit B

Early Voting Polling Locations, Dates and Hours

Dates and Hours

To be updated to reflect information in Election Contract

Locations

To be updated to reflect information in Election Contract

CERTIFICATE FOR ORDER

THE STATE OF TEXAS
COUNTY OF TARRANT
BIRDVILLE INDEPENDENT SCHOOL DISTRICT

We, the undersigned officers of the Board of Trustees (the "Board") of the Birdville Independent School District (the "District"), hereby certify as follows:

1. The Board convened in a special meeting on August 18, 2022, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Board, to wit:

Kelvin Dilks, President	Brenda Sanders-Wise
Richard Davis, Vice President	Matthew Womble
Kris Drees, Secretary	Ralph Kunkel
Joe Tolbert	

and all of said persons were present except Richard Davis, thus constituting a quorum. Whereupon, among other business the following was transacted at said meeting: a written

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was duly introduced for the consideration of the Board. It was then duly moved and seconded that said Order be passed; and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried, with all members of the Board shown present above voting "Aye," except as noted below:

NAYS: 0 ABSTENTIONS: 0

2. A true, full and correct copy of the aforesaid Order passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Order has been duly recorded in the Board's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of said meeting pertaining to the passage of said Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that said Order would be introduced and considered for passage at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given all as required by the Texas Government Code, Chapter 551.

3. The Board has approved the Order, and the President and Secretary of the Board hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of said Order for all purposes.

SIGNED AND SEALED ON AUGUST 18, 2022.



Secretary, Board of Trustees



President, Board of Trustees

(District Seal)

ACKNOWLEDGMENT OF NOTICE OF MEETING FOR ABSENTEES

The undersigned member of the governing body of Birdville Independent School District hereby acknowledges and certifies that s/he was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the meeting of said governing body which was held on August 18, 2022 at the regular meeting place thereof, and that s/he consented, in advance, to the holding of said meeting for the purpose of considering the following:

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<u>Signature</u>	<u>Printed Name</u>	<u>Date of Signature</u>
<u>C. Richards Davis</u>	<u>C. RICHARDS DAVIS JR</u>	<u>8-16-22</u>