

conducted jointly with a municipality including territory of the District on Election Day (defined herein); and

WHEREAS, the District anticipates conducting its Board election jointly with the City of Bryan, Texas (the *City*), which is a municipality within the District, on Election Day only (and unless the City cancels its election, in which case the District's compliance with Section 11.0581, as amended, Texas Education Code is no longer required because of, as described above, impossibility), in a manner permitted under applicable Texas law; and

WHEREAS, the District will contract with the elections administrator of Brazos County and the elections administrator of Robertson County (individually, the *Administrator*; together, the *Administrators*) to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by each County and held jointly with other political subdivisions for which each County is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, each County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, the Board hereby finds and determines that the necessity to construct various capital improvements within the District necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Board hereby finds and determines that the anticipated capital improvements may be submitted to the qualified voters of the District as a single proposition as authorized by Section 45.003(g) of the Code because these capital improvements will be predominantly used for educational and administrative purposes and are not the type of facilities described in Section 45.003(g)(1-6); and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

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

Section 1: Sections 1 through 15 of the order passed and approved by the Board on January 21, 2020, relating to calling a bond election to be held in the District on May 2, 2020 (the *Prior Bond Order*), are hereby amended and restated in their entirety as follows:

SECTION 1: The Election shall be held in the BRYAN INDEPENDENT SCHOOL DISTRICT on the 3rd day of November, 2020 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is 78 or more days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following proposition to the qualified voters of the District:

PROPOSITION A

“Shall the Board of Trustees of the Bryan Independent School District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$175,000,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), the purchase of the necessary sites for school facilities, and the purchase of new school buses, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District 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 2: One or more school election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the school election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). At least 79 days prior to the scheduled Election Day, or as soon thereafter as is reasonably practicable, the President, Board of Trustees, the Superintendent of Schools, or the respective designees thereof, in coordination with the Administrators, will appoint the Presiding Judge, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Administrators, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the District to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

B. On Election Day, the polls shall be open as designated on Exhibit A.

Brazos County participates in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any District voter registered in Brazos County can vote in the Election at any polling place identified in Exhibit A.

C. The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This office or place shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrators, as identified in Exhibit B hereto.

The District authorizes each Administrator to establish an Early Voting Ballot Board for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of an Early Voting Ballot Board is hereby appointed the Presiding Judge of the indicated Early Voting Ballot Board. The Presiding Judge shall appoint not less than two resident qualified voters of the District to serve as members of each such Early Voting Ballot Board.

SECTION 3: Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4: The District is authorized to utilize a Central Counting Station (the *Station*) as provided by Section 127.001, *et seq.*, as amended, Texas Election Code. The Administrator, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the Administrator, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The Administrator will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 5: The official ballot shall be prepared in accordance with the provisions of the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid measure which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF \$175,000,000 OF BONDS BY THE BRYAN INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, LAND, AND BUSES, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

SECTION 6: All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling place. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7: Notice of election, including a Spanish translation thereof, shall be published at least one time in a newspaper of general circulation in the District, with such publication occurring not more than 30 days and not less than 10 days before Election Day. Moreover, a substantial copy of this Order and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not less than 25 days prior to Election Day, (ii) in three additional public places within the District’s boundaries not later than 25 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the District’s internet website not less than 25 days prior to Election Day. A sample ballot shall be posted on the District’s internet website not less than 25 days prior to Election Day.

SECTION 8: As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the District, as of the date of this order, had outstanding an aggregate principal amount of debt equal to \$191,485,000; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$57,875,744; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.28 per \$100 of taxable assessed valuation. The District estimates an ad valorem debt service tax rate of \$0.275 per \$100 of taxable assessed valuation if the bonds that are the subject of the Election are approved and are issued (taking into account the outstanding District bonds and bonds that are the subject of this Election, but not future bond authorizations of the District). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated tax rate and amortization period are only estimates, provided for Texas statutory compliance, and do not serve as a cap on any District ad valorem tax rate or the amortization period for bonds that are the subject of this Election.

SECTION 9: The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties, to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the Counties, acting by and through the Administrators, and any Participants if desired or if

required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Board, as evidenced herein.

SECTION 10: 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 11: 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 ordered herein.

SECTION 12: This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13: 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 14: 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 the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15: This Order shall be in force and effect from and after its final passage, and it is so ordered.

Section 2: Except as hereby amended and restated, all of the provisions of the Prior Bond Order are hereby ratified, confirmed, and readopted and any provisions of or actions taken in connection with the Prior Bond Order are hereby repealed and rescinded to the extent they are in conflict with the provisions of this Order.

Section 3: Public Meeting. It is official 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 Texas Government Code, Chapter 551, as amended and as in effect on the date hereof.

* * *

PASSED AND APPROVED, this the 3rd day of August, 2020.

BRYAN INDEPENDENT SCHOOL DISTRICT

Mark McCall
President, Board of Trustees

ATTEST:

Felicia Benford
Secretary, Board of Trustees

(DISTRICT SEAL)

[Signature Page to Bryan Independent School District Bond Election Order]

Exhibit A

ELECTION DAY PRECINCT AND POLLING INFORMATION

Election Day: Tuesday, November 3, 2020

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be determined by the Administrators

Brazos County

Locations of Brazos County Vote Centers:

Number	Vote Center	Address
1	Millican Community Center	22284 Pierce Street, Millican
2	College Station Utilities Mtg & Tng Facility	1603 Graham Rd, College Station
3	Galilee Baptist Church	804 N Logan Street, Bryan
4	Zion Church of Kurten	977 N FM 2038, Kurten
5	Parkway Baptist Church	1501 Southwest Pkwy, College Station
6	College Heights Assembly of God	4100 Old College Rd, Bryan
7	First Baptist Church - Bryan	3100 Cambridge Dr, Bryan
8	Beacon Baptist Church	2001 E Villa Maria Rd, Bryan
9	Bryan Ballroom	703 Palasota Street, Bryan
10	Brazos County Admin. Bldg.**	200 S Texas Ave, Bryan
11	Rudder Exhibit Hall**	401 Joe Routt Blvd, College Station
12	GW Williams Tabernacle	311 Waco St/1216 Eureka St, Bryan
13	Texas A&M College of Medicine**	8447 Riverside Parkway, Bryan
14	Lincoln Center	1000 Eleanor, College Station
15	College Station City Hall	1101 Texas Ave, College Station
16	College Station ISD Admin Bldg.	1812 Welsh, College Station
17	Fellowship Freewill Baptist Church	1228 W Villa Maria Rd, Bryan
18	Castle Heights Baptist Church	4504 E Hwy 21, Bryan
20	A&M Church of Christ Commons/Refinery	2475 Earl Rudder Freeway, College Station
21	Christ United Methodist Church	4201 State Hwy 6, College Station
22	Arena Hall	2906 Tabor Rd, Bryan
23	Brazos Center	3232 Briarcrest Dr, Bryan
24	Wellborn Community Center	4119 W Greens Prairie Rd, Wellborn
25	Living Hope Baptist Church	4170 State Hwy 6 South, College Station
26	Church of the Nazarene	2122 E William J Bryan Pkwy, Bryan

Brazos County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters of this County will be able to cast their Election Day ballots at any of the Vote Centers identified above.

Robertson County

[to be provided by the Robertson County Elections Administrator]

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Exhibit B

EARLY VOTING

Early voting is on the following dates: Tuesday, October 13, 2020 through Saturday, October 17, 2020, Monday, October 19, 2020 through Friday, October 23, 2020, and Monday, October 26, 2020 through Friday, October 30, 2020.

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site in their County of registration.

Applications for voting by mail should be received no later than the close of business (5:00 pm) on Friday, October 23, 2020. 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 application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

Brazos County

Early Voting Clerk: Trudy Hancock, 300 E William J Bryan Parkway, Suite 100, Bryan, Texas 77803.
Presiding Judge of the Early Voting Ballot Board: to be determined by Trudy Hancock.

Brazos County Administration Building, 200 S. Texas Ave., Bryan, Texas 77803
Brazos County Arena Hall, 2906 Tabor Road, Bryan, Texas 77856
Galilee Baptist Church, 804 N. Logan Street, Bryan, Texas 77803
College Station Utilities Meeting/Training Facility, 1603 Graham Road, College Station, Texas 77845
Memorial Student Center (MSC), Texas A&M University, Room L504, College Station, Texas 77843

Tuesday, October 13, 2020 through Friday, October 16, 2020	8:00 am – 5:00 pm
Saturday, October 17, 2020	8:00 am – 5:00 pm
Monday, October 19, 2020 through Friday, October 23, 2020	8:00 am – 5:00 pm
Saturday, October 24, 2020	7:00 am – 7:00 pm
Sunday, October 25, 2020	10:00 am – 3:00 pm
Monday, October 26, 2020 through Friday, October 30, 2020	7:00 am – 7:00 pm

Applications for early voting by mail should be sent to:

Brazos County Election Administrator
Attn: Trudy Hancock
300 E William J Bryan Parkway, Suite 100, Bryan, Texas 77803
979-361-5770 – Phone
979-361-5779 – Fax
thancock@brazoscountytexas.gov

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Robertson County

Early Voting Clerk: Rebekah Callaway, 601 N. Hearne Street, Franklin, Texas 77856.
Presiding Judge of the Early Voting Ballot Board: to be determined by Rebekah Callaway.

[Robertson County Elections Center, 601 N. Hearne Street, Franklin, Texas 77856]

[to come from the Robertson County Elections Administrator]

Applications for early voting by mail should be sent to: Rebekah Callaway, P.O. Box 819,
Franklin, Texas 77856; fax: 979-828-4584; email: elections.dept@co.robertson.tx.us.

