

**ORDER OF POSTPONEMENT
MOVING BOND ELECTION FROM MAY 2, 2020
TO NOVEMBER 3, 2020 UNIFORM ELECTION DATE**

WHEREAS, Friendswood Independent School District (the “District”), is an independent school district of the State of Texas, authorized to finance its activities by issuing obligations pursuant to Chapter 45, Texas Education Code, which may include bonds approved by the voters of the District from time to time; and

WHEREAS, on February 10, 2020, the Board adopted an Order by the Board of Trustees of Friendswood Independent School District Calling a Bond Election and subsequently amended and restated such order on February 25, 2020 (the “Election Order”) approving and calling a bond election within the District on May 2, 2020 (the “Election”); and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID- 19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.0 14 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016, Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster; and

WHEREAS, on March 18, 2020, the Governor issued a proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow the District, to move the Election only to the next uniform election date, occurring on November 3, 2020, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation (the “Proclamation”); and

WHEREAS, on March 18, 2020, the Texas Secretary of State issued “State Advisory 2020-12 Actions for May 2, 2020 Uniform Election Date” (the “Advisory”), setting forth certain procedures and actions that must be taken by the Board of Trustees of the District in order to properly effectuate moving the Election from May 2, 2020 to November 3, 2020; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Order of Postponement has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Order of Postponement, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code, as amended; NOW, THEREFORE,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT

Section 1. Findings. (a) The statements contained in the preamble of this Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

(b) On March 18, 2020, Galveston County notified the District that it would not provide any election services or conduct the Election.

(c) The Board finds and declares that moving the election is necessary to protect the safety and health of the residents of the District as well as any individuals serving as election officials for the Election.

Section 2. Election Ordered Moved; Date. (a) Pursuant to the Proclamation, and in reliance thereon, the Board of Trustees hereby orders that Election shall no longer be held for and within the District on Saturday, May 2, 2020 and such Election is now hereby ordered to be postponed and held for an within the District on November 3, 2020.

(b) All applications for a ballot by mail that were filed for the May 2, 2020 election that are marked annual would apply for the November 3, 2020 election. All single use applications for a ballot by mail that were submitted for reasons of age or disability would still be valid for the November 3, 2020 election.

(c) In addition, the Board of Trustees agrees to meet prior to August 17, 2020 to make any necessary revisions to the Election Order, including the following:

1. The change to the date of the Election;
2. Any change in location of the main early voting location;
3. Any changes to early voting dates and hours, including weekend early voting;
4. Any changes to the identity of the early voting clerk and their contact information;
5. Any changes to branch early voting locations; or
6. Any other changes as necessary to conform the Election to the Texas Election Code and the Texas Education Code requirements related to the conduct of the Election on the November 3, 2020 uniform election date, including the major relevant dates for the November election, including the voter registration deadline (October 5, 2020), the deadline to submit an absentee ballots by mail (October 23, 2020), and the dates for early voting (October 19, 2020 – October 30, 2020).

Section 3. Necessary Actions. The President and the Secretary of the Board and the Superintendent, and all other appropriate officers, agents, and representatives of the District in consultation with the District's attorney and bond counsel are hereby authorized and directed to take any and all actions necessary to carry out the purposes of this Order of Postponement and to comply with the provisions of the Texas Election Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

Section 4. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Order of Postponement, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Order of Postponement nor their application to other

persons or sets of circumstances shall be affected thereby, it being the intent of the District in adopting this Order of Postponement that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity, or unenforceability of any other portion hereof, and all provisions of this Order of Postponement are declared to be severable for that purpose.

Section 5. Effective Date. This Order of Postponement is effective immediately upon its passage and approval.

PASSED AND APPROVED the ____ day of March, 2020.

/s/

President, Board of Trustees
Friendswood Independent School District

ATTEST:

/s/

Secretary, Board of Trustees
Friendswood Independent School District

(SEAL)