

SECOND AMENDED AND RESTATED ORDER BY THE BOARD OF TRUSTEES OF FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT CALLING A BOND ELECTION

WHEREAS, on February 10, 2020, the Board of Trustees (the “Board”) adopted an Order by the Board of Trustees of Friendswood Independent School District Calling a Bond Election (the “Original Order”) for a bond election (“Election”) on May 2, 2020; and

WHEREAS, on February 25, 2020, the Board adopted an Amended and Restated Order (the “First Amended and Restated Order”) to clarify that, pursuant to the applicable provisions of the Code, the District would enter into an agreement with Galveston County for the provision of election services (the “Election Services Contract”) for District voters in both Galveston County and Brazoria County and to identify the then-current dates, hours, and locations for voting during early voting and on election day; and

WHEREAS, on March 23, 2020, the Board adopted an Order of Postponement Moving the Bond Election from May 2, 2020 to November 3, 2020, Uniform Election Date (the “Postponement Order”) pursuant to a proclamation of the Governor of Texas suspending Sections 41.0052(a) and (b) of the Code to the extent necessary to allow the District to move the Election to the next uniform election date and suspending Sections 31.093 and 42.0621(c) of the 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 that postponed its election;

WHEREAS, pursuant to the Postponement Order, the Board finds and determines that it is necessary and advisable to adopt this Second Amended and Restated Order by the Board of Trustees of Friendswood Independent School District Calling a Bond Election (the “Election Order”) to make necessary revisions to provide for the Election on November 3, 2020 as hereinafter set forth; and

WHEREAS, the Board finds and declares that the meeting at which this Election Order is considered is open to the public, and that the public notice of the time, place, and purpose of the meeting was given, as required by Chapter 551, Texas Government Code; Now Therefore,

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

Section 1. Findings.

- (a) The projects contemplated in Proposition A will be predominantly used for required classroom instruction and essential administrative operations for faculty and staff; and
- (b) The statements contained in the preamble of this Election Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Taxes; Two Propositions. The Election shall be held for and within the District on Tuesday, November 3, 2020 (“Election Day”). At the Election the following propositions (the “Propositions”), setting forth the purposes, the principal amount, and the maximum maturity dates for the Bonds to be authorized, shall be submitted to the qualified voters of the District in accordance with law:

FRIENDSWOOD ISD SPECIAL ELECTION

FRIENDSWOOD ISD PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$127,275,000 FOR THE CONSTRUCTION, ACQUISITION, AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND THE PURCHASE OF NEW SCHOOL BUSES, INCLUDING THE ADDITION OF AN ELEMENTARY SCHOOL AND RENOVATIONS AND ADDITIONS TO FRIENDSWOOD HIGH SCHOOL INCLUDING A NEW AUDITORIUM, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALY OR OTHERWISE NOT MORE THAN THE MAXIMUM NUMBER OF YEARS AUTHORIZED BY LAW FROM THEIR DATE, AND SHALL BEAR INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED BY THE BOARD OF THE DISTRICT WITHIN THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD 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 SAID BONDS AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH SAID BONDS?

FRIENDSWOOD ISD PROPOSITION B

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$1,000,000 FOR THE ACQUISITION AND UPDATE OF TECHNOLOGY EQUIPMENT, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALY OR OTHERWISE NOT TO EXCEED TEN YEARS, AND SHALL BEAR INTEREST AT SUCH RATE OR RATES, AS SHALL BE DETERMINED BY THE BOARD OF THE DISTRICT WITHIN

THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD 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 SAID BONDS AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH SAID BONDS?

Section 3. Official Ballots. (a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved voting systems and ballots.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to appear and permit the electors to vote "FOR" or "AGAINST" the aforesaid Propositions which shall appear and be set forth on the ballots substantially in the following form:

FRIENDSWOOD ISD SPECIAL ELECTION

FRIENDSWOOD ISD PROPOSITION A

FOR

THE ISSUANCE OF \$127,275,000 FOR THE CONSTRUCTION, ACQUISITION, AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND THE PURCHASE OF NEW SCHOOL BUSES, INCLUDING THE ADDITION OF AN ELEMENTARY SCHOOL AND RENOVATIONS AND ADDITIONS TO FRIENDSWOOD HIGH SCHOOL INCLUDING A NEW AUDITORIUM. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED. THIS IS A PROPERTY TAX INCREASE.

AGAINST

FRIENDSWOOD ISD PROPOSITION B

FOR

THE ISSUANCE OF \$1,000,000 FOR THE ACQUISITION AND UPDATE OF TECHNOLOGY EQUIPMENT. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED. THIS IS A PROPERTY TAX INCREASE.

AGAINST

Section 4. Persons Qualified to Vote. All resident, qualified electors of the District shall be eligible to vote at the Election.

Section 5. Election Precinct, Voting Locations, and Voting Hours on Election Day. The voting locations for voting on Election Day shall be the Galveston County countywide polling locations set forth in **Exhibit A**, or at such other locations as hereafter may be designated by the Galveston County Clerk (the “County Election Officer”) in accordance with the Election Services Contract, and such locations are hereby adopted and approved without further action by the Board. The notices of the Election shall be conformed to the final locations designated by the County Election Officer. On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 6. Early Voting Locations, Dates, and Times; Appointment of Early Voting Clerk. (a) Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in **Exhibit B** or at such other days, times, and locations as hereafter may be designated by the County Election Officer in accordance with the Election Services Contract or as designated by the Governor of Texas in accordance with executive orders, and such days, times, and locations are hereby adopted and approved without further action by the Board. The notices of the Election shall be conformed to the final locations designated by the County Election Officer.

(b) The Board hereby appoints Dwight D. Sullivan, Galveston County Clerk, as Early Voting Clerk and applications for ballot by mail shall be sent to the Early Voting Clerk at the following address: Attention: Ballots By Mail c/o Dwight Sullivan, Galveston County Clerk, P. O. Box 17253, Galveston, TX 77552-7253 or by fax at (409) 762-3249 or by email at absenteeballotapplications@co.galveston.tx.us. If an application is sent by fax or email, the original must still be mailed to the mailing address above.

Section 7. Election Services Contract; Joint Election. The District will contract with Galveston County for election services for both Galveston County and Brazoria County and will conduct a joint election with other participating governmental entities in Galveston County who are holding elections on Election Day. The President of the Board, the Superintendent, or their designees, are authorized to negotiate and enter into one or more joint election agreements, election services contracts, voting equipment rental contracts, or similar contracts or agreements with Galveston County and any joint election participants if desired or required to comply with applicable law.

Section 8. Notice of Election. Notice of the Election shall be given in the manner required by law.

Section 9. Conduct of Election. The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 10. Required Information.

(a) If the bonds are authorized and issued, taxes sufficient to pay the principal of and interest on the bonds may be imposed. The District intends to issue the bonds authorized by the Propositions over a period of years in accordance with a schedule to be determined by the Board. If the bonds are authorized and issued, the District estimates that the total tax rate of the District will be \$1.3594 per \$100 of taxable assessed value, which represents the sum of (i) the anticipated tax rate for operations and maintenance, which is \$0.9835 per \$100 of taxable assessed valuation, plus (ii) the estimated tax rate for voted debt obligations of the District, including the proposed bonds, which is expected to be approximately \$0.3759 per \$100.

This estimated total tax rate is derived from projections obtained from the District's financial advisor and the appraisal district and is provided without any assurance that such projections will be realized. At the time that bonds are issued, the actual total tax rate will depend upon, among other factors, prevailing interest rates, the assessed value of real property in the District, the availability of the Permanent School Fund Guarantee, and general market conditions.

(b) As of the date of the Election is ordered, the aggregate amount of outstanding principal of the District's debt obligations was \$88,410,000 and the aggregate amount of outstanding interest on the District's debt obligations was \$37,827,025. As of the date the Election is ordered, the District's ad valorem debt service tax rate is \$0.2170 per \$100 of taxable property.

The statements contained in this Section (i) are based on information available to the District as of the date the Election is ordered, including projections obtained from the District's financial advisor, (ii) necessarily consist of estimates and projections that are subject to change based on facts, circumstances, and conditions at the time that bonds approved pursuant to this Election Order are issued, and (iii) are not intended to limit the authority of the Board to issue bonds in accordance with other terms contained in this Election Order. Accordingly, actual tax rates, interest rates, maturity dates, aggregate outstanding indebtedness, and interest on such debt will vary and will be established after the bonds are issued. To the extent of any conflict between this subsection and other terms of this Election Order, such other terms control.

(c) The form of Voter Information Document for each proposition is attached hereto as **Exhibit C**. Each Voter Information Document shall be posted in the same manner as is required for the posting of this Election Order, pursuant to the provisions of Section 4.003(f), Texas Election Code, and may be posted as part of this Election Order.

Section 11. Necessary Actions. The President, 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 Election Order and to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein. The terms of this Election Order, including the dates, times, and locations for voting, are subject to change in accordance with executive orders by the Governor of Texas without further action of the Board.

Section 12. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Election Order, 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 Election Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the District in adopting this Election Order 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 Election Order are declared to be severable for that purpose.

Section 13. Effective Date. This Election Order is effective immediately upon its passage and approval.

PASSED AND APPROVED the 20th day of July, 2020.

President, Board of Trustees
Friendswood Independent School District

ATTEST:

Secretary, Board of Trustees
Friendswood Independent School District

(SEAL)

EXHIBIT A

ELECTION DAY VOTING LOCATIONS

November 03, 2020, 7:00am – 7:00pm

Polling Locations

ELECTION DAY BRANCH LOCATIONS

Joe Faggard Community Center
1750 Highway 87
Crystal Beach, Texas

Galveston County Court House
722 Moody 2nd Floor
Galveston, Texas

MUD 12 Building
2929 Highway 6 2nd Floor
Bayou Vista, Texas

La Marque Comm. Room
1109 B Bayou Rd
La Marque, Texas

West County Building
11730 Highway 6 Chambers Rm.
Santa Fe, Texas

Nessler Community Center
2010 - 5th Ave. North Ballroom
Texas City, Texas

Dickinson Community Ctr.
2714 Highway 3
Dickinson, Texas

Bacliff VFD
600 Grand
Bacliff, Texas

Kemah Community Ctr.
800 Harris
Kemah, Texas

North County Annex
174 Calder Drive Room 142
League City, Texas

Friendswood First Baptist Church
202 Heritage Dr.
Friendswood, Texas

Justice Center
600 59th Street
Galveston, TX 77551

Moody Methodist
2803 53rd Street
Galveston, TX

Seaside Church
16534 Termini-San Luis Pass Rd
Jamaica Beach, TX

High Island ISD
2113 6th Street Gym
High Island, TX

GISD Admin Bldg.
3904 Ave T
Galveston, TX

Texas A&M Campus
200 Seawolf Park
Galveston, TX

Rebecca Sealy
404 8th Street
Galveston, TX

Greater St Matthews
6333 Highway 6
Hitchcock, TX

HISD Admin Building
7801 Neville
Hitchcock, TX

COM Main Campus
12 Amburn Rd
Texas City, TX

Texas City Central Fire Sta
1721 25th Street
Texas City, TX

Daysprings Church
2215 FM 646
Santa Fe, TX

Ministry of Encouragement
3424 Highway 3
Dickinson, TX

IBC Bank
2301 FM 646
Dickinson, TX

Clear Lake Shores Clubhouse
1006 South Shore Dr
Clear Lake Shores, TX

Hometown Heros
1011 East League City Parkway
League City, TX

Ferguson Elementary
1910 S. Compass Rose
League City, TX

League City Int.
2588 Webster St
League City, TX

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX

Carver Park
6415 Park Ave
Texas City, TX

Calvary Baptist
517 18th Ave North
Texas City

Mid County Bldg
9850 Emmett Lowery
Texas City, TX

Dickinson City Hall
4403 Highway 3
Dickinson, TX

McAdams Jr Hi
11415 Hughes Rd
Dickinson, TX

San Leon FVD
337 12th Street
San Leon, TX

Hope Lutheran
1804 S. Friendswood Dr
Friendswood, TX

Creekside Int.
4320 West Main St
League City, TX

League City Rec. Room
450 West Walker
League City, TX

Com North County
200 Parker CT
League City, TX

Dominion Church
6400 Calder Rd
League City, TX

Old Friendswood Jr Hi
402 Laurel
Friendswood, TX

The Jacob White Building
2000 West Parkwood
Friendswood, TX

The Blue Building
144 Park Ave. Suite 200
League City, TX

Public Works Operation Center
1701 W League City Pkwy.
League City, TX

The Watershed
1751 E. League City Pkwy
League City, TX

EXHIBIT B

EARLY VOTING LOCATION, DATES AND TIMES

October 13-16, 2020, 8:00AM-5:00PM

October 19-23, 2020, 8:00AM-5:00PM

October 24, 2020, 7:00AM-7:00PM

October 25, 2020, 1:00PM-6:00PM

October 26 - 30, 2020, 7:00AM-7:00PM

EARLY VOTING BRANCH LOCATIONS

Joe Faggard Community Center
1750 Highway 87
Crystal Beach, Texas

Galveston County Court House
722 Moody 2nd Floor
Galveston, Texas

MUD 12 Building
2929 Highway 6 2nd Floor
Bayou Vista, Texas

La Marque Comm. Room
1109 B Bayou Rd
La Marque, Texas

West County Building
11730 Highway 6 Chambers Rm.
Santa Fe, Texas

Nessler Community Center
2010 - 5th Ave. North Ballroom
Texas City, Texas

Dickinson Community Ctr.
2714 Highway 3
Dickinson, Texas

Bacliff VFD
600 Grand
Bacliff, Texas

Kemah Community Ctr.
800 Harris
Kemah, Texas

North County Annex
174 Calder Drive Room 142
League City, Texas

Friendswood First Baptist Church
202 Heritage Dr.
Friendswood, Texas

Justice Center
600 59th Street
Galveston, TX 77551

Moody Methodist
2803 53rd Street
Galveston, TX

Seaside Church
16534 Termini-San Luis Pass Rd
Jamaica Beach, TX

High Island ISD
2113 6th Street Gym
High Island, TX

GISD Admin Bldg.
3904 Ave T
Galveston, TX

Greater St Matthews
6333 Highway 6
Hitchcock, TX

Hitchcock City Hall
7423 Highway 6
Hitchcock, TX

Carver Park
6415 Park Ave
Texas City, TX

COM Main Campus
1200 Amburn Rd
Texas City, TX

Clear Lake Shores
1006 South Shore Dr Clubhouse
Clear Lake Shores, TX

IBC Bank
2301 FM 646
Dickinson, TX

Creekside Int.
4320 West Main St
League City, TX

League City Rec. Room
450 West Walker
League City, TX

COM North County
200 Parker Ct
League City, TX

Old Friendswood Jr Hi
402 Laurel
Friendswood, TX

The Jacob White Building
2000 West Parkwood
Friendswood, TX

The Blue Building
144 Park Suite 200
League City, TX

Public Works Operation Center
1701 W. League City PWY
League City, TX

The Watershed
1751 East League City Pkwy
League City, TX

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX

EXHIBIT C

**VOTER INFORMATION DOCUMENT FOR FRIENDSWOOD ISD BOND
PROPOSITION A**

(a) The language that will appear on the ballot for Proposition A is set forth below:

FRIENDSWOOD ISD PROPOSITION A

FOR

THE ISSUANCE OF \$127,275,000 FOR THE CONSTRUCTION, ACQUISITION, AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND THE PURCHASE OF NEW SCHOOL BUSES, INCLUDING THE ADDITION OF AN ELEMENTARY SCHOOL AND RENOVATIONS AND ADDITIONS TO FRIENDSWOOD HIGH SCHOOL INCLUDING A NEW AUDITORIUM. TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED. THIS IS A PROPERTY TAX INCREASE.

AGAINST

(b) Certain information regarding District debt is provided in the table below:

Principal Amount of Bonds to be Authorized:	Estimated Interest for Bonds to be Authorized:	Estimated Combined Principal and Interest for Bonds to be Authorized:	Principal of all Outstanding Tax Debt (as of date of the Election Order):	Estimated Remaining Interest on all Outstanding Tax Debt (as of date of the Election Order):	Estimated Combined Principal and Interest on all Outstanding Tax Debt (as of date of the Election Order):
\$127,275,000	\$88,392,555	\$215,667,555	\$85,170,000	\$35,905,550	\$121,075,550

(c) The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the Bonds to be authorized under Proposition A is \$100.00, assuming: (i) the Bonds to be authorized are issued in 2021, (ii) a maximum maturity of 30 years for the Bonds, (iii) an amortization of all debt obligations of the District including the Bonds, over 30 years, (iv) an interest rate of 3.52% on the Bonds, (v) a 4.00%% annual growth in taxable assessed values in the District, and (vi) continuing compliance by the District with Section 45.0031, Texas Education Code as it relates to the District demonstrating its ability to repay the principal and interest on any tax bonds from a tax at a rate not to exceed \$0.50 per \$100 of valuation. The foregoing is only an estimate provided to comply with Texas law and is subject to change; it does not serve as a limitation or a guarantee regarding outstanding indebtedness, the amount of taxes actually imposed, the amortization period for the bonds or the District's other debt obligations, interest rates, or taxable assessed values.

**VOTER INFORMATION DOCUMENT FOR FRIENDSWOOD ISD BOND
PROPOSITION B**

(a) The language that will appear on the ballot for Proposition B is set forth below:

FRIENDSWOOD ISD PROPOSITION B

[] FOR

THE ISSUANCE OF \$1,000,000 FOR THE ACQUISITION AND UPDATE OF TECHNOLOGY EQUIPMENT TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS WILL BE IMPOSED. THIS IS A PROPERTY TAX INCREASE.

[] AGAINST

(b) Certain information is provided in the table below:

Principal Amount of Bonds to be Authorized:	Estimated Interest for Bonds to be Authorized:	Estimated Combined Principal and Interest for Bonds to be Authorized:	Principal of all Outstanding Tax Debt (as of date of the Election Order):	Estimated Remaining Interest on all Outstanding Tax Debt (as of date of the Election Order):	Estimated Combined Principal and Interest on all Outstanding Tax Debt (as of date of the Election Order):
\$1,000,000	\$138,375	\$1,138,375	\$85,170,000	\$35,905,550	\$121,075,550

(c) The estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead in the District with an appraised value of \$100,000 to repay the Bonds to be authorized under Proposition B is \$0.00, assuming: (i) the Bonds to be authorized are issued in 2021, (ii) a maximum maturity of 10 years for the Bonds, (iii) an amortization of all debt obligations of the District, including the Bonds, over 30 years, (iv) an interest rate of 2.25% on the Bonds, (v) a 4.00% annual growth in taxable assessed values in the District, and (vi) continuing compliance by the District with Section 45.0031, Texas Education Code as it relates to the District demonstrating its ability to repay the principal and interest on any tax bonds from a tax at a rate not to exceed \$0.50 per \$100 of valuation. The foregoing is only an estimate provided to comply with Texas law and is subject to change; it does not serve as a limitation or a guarantee regarding outstanding indebtedness, the amount of taxes actually imposed, the amortization period for the Bonds or the District's other debt obligations, interest rates, or taxable assessed values.