

ORDER CALLING SCHOOL BUILDING BOND ELECTION

STATE OF TEXAS §
COUNTIES OF HARRIS, FORT BEND AND WALLER §
KATY INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the "Board") of the Katy Independent School District (the "District") has the power to issue bonds pursuant to Chapter 45, Texas Education Code; and

WHEREAS, the Board has determined that it is necessary and appropriate to call and conduct an election to obtain voter authorization for the issuance of such bonds; and

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

Section 1. Call of Election; Date; Eligible Electors; and Hours. An election (the "Election") shall be held on May 1, 2021 ("Election Day"), which is seventy-eight (78) or more days from the date of the adoption of this order (the "Election Order"), within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open on Election Day shall be from 7:00 a.m. to 7:00 p.m.

Section 2. Voting Precincts; Polling Places; Election Administrator and Officers. Except as otherwise provided herein, the Election Day precincts established, if any, for the purpose of holding the Election and the polling places designated for the Election precincts shall be as shown in **Exhibit A** to this Election Order. The District appoints Justin R. Graham as the Election Administrator. The precinct judges and alternate judges for the Election shall be appointed in accordance with the Texas Election Code (the "Election Code").

In the event that the Superintendent, or his designee, shall determine from time to time that (a) a polling place hereafter designated shall become unavailable or unsuitable for such use, or it would be in the District's best interests to relocate such polling place, or (b) a presiding judge or alternate presiding judge hereafter designated shall become unqualified or unavailable, the Superintendent, or his designee, is hereby authorized to designate and appoint in writing a substitute polling place, presiding judge or alternate presiding judge, and correct or modify the exhibits to this Election Order, giving such notice as is required by the Election Code and as deemed sufficient.

Section 3. Propositions. At the Election there shall be submitted to the resident, qualified electors of the District the following propositions (the "Propositions"):

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE KATY INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$591,368,568 FOR THE DESIGN, CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND EQUIPMENT OF NEW AND EXISTING SCHOOL BUILDINGS IN THE DISTRICT (INCLUDING SAFETY AND SECURITY INFRASTRUCTURE FOR SUCH SCHOOL BUILDINGS), THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS AND THE PURCHASE OF NEW SCHOOL BUSES, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE 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 COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION B

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE KATY INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$59,755,242 FOR THE DESIGN, CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND UPGRADING OF NEW TECHNOLOGY SYSTEMS, TECHNOLOGY INFRASTRUCTURE AND INSTRUCTIONAL TECHNOLOGY, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE 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 COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

KATY CONSOLIDATED INDEPENDENT SCHOOL DISTRICT - PROPOSITION C

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE KATY INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$13,842,610 FOR THE DESIGN, CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT AND EQUIPMENT OF A HIGH SCHOOL NATATORIUM IN THE DISTRICT, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE 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 COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

KATY CONSOLIDATED INDEPENDENT SCHOOL DISTRICT - PROPOSITION D

SHALL THE BOARD OF TRUSTEES (THE "BOARD") OF THE KATY INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$11,260,000 FOR THE DESIGN, CONSTRUCTION, ACQUISITION, REHABILITATION, RENOVATION, EXPANSION, IMPROVEMENT, EQUIPMENT, REPAIR AND REPLACEMENT OF ATHLETIC STADIUM FACILITIES IN THE DISTRICT INCLUDING BUT NOT LIMITED TO TRACK REPAIRS AND RESURFACING, LIGHTING, ROOFS AND BLEACHERS, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY, IMPOSE 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 COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

Section 4. Ballots. The ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

[] FOR) THE ISSUANCE OF \$591,368,568 SCHOOL BUILDING BONDS BY KATY INDEPENDENT SCHOOL DISTRICT FOR NEW SCHOOL BUILDINGS AND RENOVATION AND EXPANSION OF EXISTING SCHOOL BUILDINGS (INCLUDING SAFETY AND SECURITY INFRASTRUCTURE FOR SUCH SCHOOL BUILDINGS), THE PURCHASE OF NECESSARY SITES FOR SCHOOL BUILDINGS AND NEW SCHOOL BUSES AND THE IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION B

[] FOR) THE ISSUANCE OF \$59,755,242 SCHOOL BUILDING BONDS BY KATY INDEPENDENT SCHOOL DISTRICT FOR NEW TECHNOLOGY, TECHNOLOGY INFRASTRUCTURE, INSTRUCTIONAL TECHNOLOGY AND THE IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION C

[] FOR) THE ISSUANCE OF \$13,842,610 SCHOOL BUILDING BONDS BY KATY INDEPENDENT SCHOOL DISTRICT FOR A HIGH SCHOOL NATATORIUM AND IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.

KATY INDEPENDENT SCHOOL DISTRICT - PROPOSITION D

[] FOR) THE ISSUANCE OF \$11,260,000 SCHOOL BUILDING BONDS BY KATY INDEPENDENT SCHOOL DISTRICT FOR REPAIR AND REPLACEMENT OF ATHLETIC STADIUM FACILITIES INCLUDING BUT NOT LIMITED TO TRACK REPAIR AND RESURFACING, LIGHTING, ROOFS AND BLEACHERS AND THE IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. REQUIRED STATEMENT FOR ALL SCHOOL DISTRICT BOND PROPOSITIONS PURSUANT TO SECTION 45.003, TEXAS EDUCATION CODE: THIS IS A PROPERTY TAX INCREASE.

Section 5. Voting. 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). As required by the 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. Paper ballots may be used for early voting by mail.

Each voter desiring to vote in favor of a Proposition shall mark the ballot indicating "FOR" such Proposition, and each voter desiring to vote against a Proposition shall mark the ballot indicating "AGAINST" such Proposition. Voting will be conducted in accordance with the Election Code.

Section 6. Early Voting. The Board hereby appoints the Election Administrator as the regular early voting clerk for the District. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code.

Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B**. Early voting by personal appearance shall begin on Monday, April 19, 2021 and end on Tuesday, April 27, 2021.

For the use of those voters who are entitled by law to vote early by mail, the early voting clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote "FOR" or "AGAINST" each Proposition. The mailing address to which ballot applications and ballots voted by mail may be sent is as follows:

Justin R. Graham, Election Administrator
Katy I.S.D., Education Support Complex
6301 South Stadium Lane
Katy, TX 77494

Applications for ballot by mail must be received no later than the close of business on Tuesday, April 20, 2021. Applications by mail may also be emailed to evkisd@katyisd.org.

The Election Administrator is hereby authorized and directed to designate the early voting ballot board and other officers required to conduct early voting for the Election.

Section 7. Conduct of Election. The Election shall be conducted by the Election Administrator and other election officers, including the precinct judges and alternate judges or clerks appointed by the Board, in accordance with the Election Code, the Election Code and the Constitution and laws of the State and the United States of America. The President of the Board of Trustees, the Superintendent, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Election Order, including the exhibits hereto, as are deemed necessary or appropriate to comply with applicable state and federal law and to carry out the intent of the Board, as evidenced by this Election Order. The Election Administrator shall be responsible for establishing the central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Multilingual Election Materials. For Waller and Fort Bend Counties, all notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process. For Harris County, all notices, instructions, and ballots pertaining to the Election shall be furnished to voters in English, Spanish, Vietnamese and Chinese, and persons capable of acting as translators in English, Spanish, Vietnamese and Chinese shall be made available to assist such language speaking voters in understanding and participating in the election process.

Section 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of a Proposition, then the issuance and sale of the bonds described in such Proposition shall be authorized in the maximum amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the Board to be in the District's best interest.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the Election Administrator.

Section 11. Notice of Election; Voter Information Document. Notice of the Election shall be given in the manner required by the Election Code and other applicable law. A voter information document for each Proposition substantially in the form attached thereto as **Exhibit C** shall be posted as required by the Election Code and other applicable law.

Section 12. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (72) hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the District in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Election Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 13. Mandatory Statement of Information.

(a) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 4 of this Election Order, (ii) the purposes for which the bonds are to be authorized are set forth in Section 3 of this Election Order, (iii) the principal amount of bonds to be authorized is set forth in Section 3 of this Election Order, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the costs of any credit agreements may be imposed, as set forth in Section 3 of this Election Order, (v) bonds authorized pursuant to this Election Order may be issued to mature over a specified number of years not to exceed the maximum number of years authorized by law and bearing interest at the rate or rates (not to exceed 15%), as authorized by law and determined by the Board, (vi) as of the date of the adoption of this Election Order, the aggregate amount of outstanding principal of the District's debt obligations is \$1,888,706,959, and the aggregate amount of outstanding interest on the District's debt obligations is \$1,095,003,240 (based upon the District's expectations relative to its variable rate debt obligations), and (vii) the District's ad valorem debt service tax rate as of the date of adoption of this Election Order is \$0.39 per \$100 valuation of taxable property.

(b) Based upon market conditions as of the date of this Election Order, the maximum net effective interest rate for any series of the bonds is estimated to be 3.00%. 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. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to and does not give rise to a contract with voters or limit the authority of the Board to issue bonds in accordance with the Propositions submitted by this Election Order.

Section 14. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all reasonable or necessary actions to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Superintendent and his designees are hereby authorized to complete and update, as necessary, the exhibits hereto with the necessary information as same is made available to the District.

Section 15. Authorization to Execute. The President or Vice President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Election Order on behalf of

See Bond Election, English next page