

FORT BEND INDEPENDENT SCHOOL DISTRICT

A RESOLUTION

A RESOLUTION ADOPTING A 2023 TAX RATE AND LEVYING SCHOOL DISTRICT AD VALOREM TAXES FOR THE FORT BEND INDEPENDENT SCHOOL DISTRICT FOR THE YEAR OF 2023-24, DIRECTING THE ASSESSMENT AND COLLECTION THEREOF:

Whereas, the Board of Trustees of Fort Bend Independent School District finds that the tax rate for the year 2023, hereinafter levied for all lawful expenses of the school district and the carrying out of the duties and responsibilities placed upon said school district by law must be levied to provide the revenue requirements of the budget for the ensuing year; and

Whereas, the Tax Collector of Fort Bend County has certified a tax collection rate of one hundred (100.00) percent; and

Whereas, the Board of Trustees of Fort Bend Independent School District finds that all things prerequisite to the passing of this resolution, including all notices of hearings, consideration of budget, and all other things, have been done and performed; and

Whereas, the Board of Trustees of Fort Bend Independent School District further finds that the taxes for the year 2023, hereinafter levied therefore are necessary to pay all lawful expenses of the District and to carry out the duties and obligations placed upon said school district by law and to provide the required sinking fund on outstanding bonds of the school district and on bonds proposed to be issued for such purposes during the ensuing year; and,

Whereas, the 2023 total no-new-revenue tax rate calculated as required by law is \$1.1682 per \$100 of valuation and the 2023 proposed total tax rate is \$0.9892. *This year's tax levy to fund maintenance and operations expenditures does not exceed last year's maintenance and operations tax levy.*

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE FORT BEND INDEPENDENT SCHOOL DISTRICT THAT;

SECTION 1. For the further maintenance of public free schools in this school district and to pay the principal of and interest on outstanding bonds of the District during the ensuing year, and for all other lawful purposes, there is hereby levied and ordered to be assessed and collected for the year 2023, and for each year thereafter until it be otherwise provided and ordered, on all property situated within the limits of the boundaries of this school district, and not exempt from taxation by valid laws, an ad valorem tax at the rate of \$0.9892 on the One Hundred (\$100) Dollars valuation of such property as follows:

- A. \$0.7192 for the purpose of maintenance and operations, and
- B. \$0.2700 for the purpose of payment of principal and interest of bonds

All rates are conditioned on the approval of the voters at the Voter-Approval Tax Ratification Election ordered in **SECTION 3** below.

SECTION 2. Should the voters not approve the rates adopted in **SECTION 1**, the tax rate of the District for the tax year 2023, as required by the Texas Property Tax Code Section 26.08(d) is \$0.9492, to be assessed and collected as follows:

- A. \$0.6792 for the purpose of maintenance and operations, and
- B. \$0.2700 for the purpose of payment of principal and interest of bonds

SECTION 3. BE IT ORDERED, RESOLVED, AND ORDAINED that a Special Election shall be held for and within the District on Tuesday, November 7, 2023 ("Election Day"), a uniform election date established by Section 41.001(a), Texas Election Code, as amended (the "Code"), as required by Texas law.

(a) Voting at the Election, and early voting therefore, shall be by the use of the lawfully approved Fort Bend County, Texas ("Fort Bend County" or the "County") 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 permit the electors to vote "FOR" or "AGAINST" the Proposition which shall be set forth on the ballots substantially in the following form:

FORT BEND ISD – PROPOSITION A

<input type="checkbox"/> FOR) <input type="checkbox"/> AGAINST)	"Ratifying the ad valorem tax rate of \$0.9892 in Fort Bend Independent School District for the current year, a rate that will result in an increase of 4.80 percent in maintenance and operations tax revenue for the district for the current year as compared to the preceding year, which is an additional \$34.76 million."
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SECTION 4. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in English and Spanish in compliance with the Federal Voting Rights Act of 1965, as amended (the "Voting Rights Act"), and the Code, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

SECTION 5. Election Precincts, Voting Locations and Voting Hours on Election Day. The election precincts for the Election shall consist of the territory within the boundaries of the District. The precinct numbers for the District's election precincts shall be the same as those assigned by the County to the County election precincts. The polling places for the Election are hereby designated to be those locations identified by the Elections Administrator (as defined herein). Voting on Election Day shall be conducted at the polling locations designated on Exhibit A attached hereto, with such locations being incorporated herein by reference and made a part hereof for all purposes; provided, however, such locations may be changed if so directed by the Elections Administrator without further action of the District. The Elections Administrator is hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election, without further action by the District, and the President of the Board or designee is hereby authorized to update Exhibit A to reflect the locations designated by the County Elections Administrator, which locations are hereby approved. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

SECTION 6. Elections Administrator; Early Voting Clerk; Early Voting Locations, Dates and Times.

John Oldham, the Fort Bend County Elections Administrator (the "Elections Administrator") is hereby appointed as the Early Voting Clerk for purposes of this Election (the "Early Voting Clerk") and appointed Elections Administrator for the District and agent for the custodian of voted ballots in the jurisdiction.

The address for the Early Voting Clerk of Fort Bend County is 4520 Reading Road, Suite A-400, Rosenberg, Texas 77471, and the Early Voting Clerk may be reached at the following: (i) Telephone: (281) 341-8670, (ii) Email: vote@fortbendcountytexas.gov, and (iii) Website: <https://www.fortbendcountytexas.gov/government/departments/elections-voter-registration>.

Applications for early voting by mail shall be submitted to the Elections Administrator by regular mail to John Oldham, Fort Bend County Elections Administrator, 301 Jackson Street, Richmond, Texas 77469, or by common or contract carrier to John Oldham, Fort Bend County Elections Administrator, 4520 Reading Road, Suite A-400, Rosenberg, Texas 77471.

The main early voting polling place for Fort Bend County is hereby designated to be the location identified as such in Exhibit B.

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, attached hereto and incorporated herein, or at such other locations, times, and days as hereafter may be designated by the County Elections Administrator as provided in the Election Agreement without further action by the District. The President of the Board or designee is hereby authorized to update Exhibit B to reflect the locations and times designated by the County Elections Administrator, and such locations are hereby approved.

The Elections Administrator is hereby authorized to appoint the members of the early voting ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges shall be authorized to approve the necessary election clerks to assist in conducting the Elections.

SECTION 7. Joint Election. The Board has determined that it is in the best interest of the District to participate in a joint election with other governmental entities in the County holding elections on Election Day and contract with the Elections Administrator for election services (the "Election Agreement").

SECTION 8. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Resolution, in English and Spanish, one time not earlier than the thirtieth (30th) day nor later than the tenth (10th) day prior to the date set for the Election, in a newspaper published in the District (or that otherwise complies with applicable law), (ii) posting a copy of this Resolution and the Voter Information Document (as hereinafter defined), in English and Spanish, on the bulletin board used for posting notices of meetings of the Board and in at least three (3) other public places within the boundaries of the District, not later than the twenty-first (21st) day prior to the date set for the Election, and (iii) posting a copy of this Resolution, in English and Spanish, on the District's website, prominently and together with the notice of the Election, the contents of the Proposition and any sample ballot prepared for the election, not later than the twenty-first (21st) day prior to the date set for the Election. The website for the District can be found at www.fortbendisd.com.

SECTION 9. Severability. If any provision, section, subsection, sentence, clause or phrase of this Resolution, 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 Resolution nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Board in adopting this Resolution 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 Resolution are declared to be severable for that purpose.

SECTION 10. Effective Date. This Resolution shall take effect immediately upon its approval and after its passage. Passed and adopted by the Board of Trustees at a meeting at which a quorum was present with more than sixty percent of the Trustees voting for and at which meeting this Resolution, in written form, was before the Board at the time of its adoption on the 21st day of August 2023.

The results of the 2023 tax rate vote are as follows:

Trustees Voting For:

- ☒ Judy Dae, President
- ☒ Shirley Rose-Gilliam, Vice President
- ☐ David Hamilton, Secretary
- ☒ Kristen Davison-Malone
- ☒ Angie Hanan
- ☒ Rick Garcia
- ☒ Sonya Jones

APPROVED:



Judy Dae, President
Fort Bend ISD Board of Trustees

Trustees Voting Against:

- ☐ Judy Dae, President
- ☐ Shirley Rose-Gilliam, Vice President
- ☒ David Hamilton, Secretary
- ☐ Kristen Davison-Malone
- ☐ Angie Hanan
- ☐ Rick Garcia
- ☐ Sonya Jones

ATTEST:



David Hamilton, Secretary

EXHIBIT A

The District is currently working with the Fort Bend County Elections Administrator to determine the list of polling locations on Election Day.

EXHIBIT B

The District is currently working with the Fort Bend County Elections Administrator to determine the list polling locations, time and days of operation for Early Voting.