

## ORDER CALLING A VOTER-APPROVAL TAX RATE ELECTION

THE STATE OF TEXAS  
TARRANT COUNTY  
BIRDVILLE INDEPENDENT SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the "Board") of the Birdville Independent School District (the "District") desires to adopt this order (the "Order") to provide for the calling of the Voter-Approval Tax Rate Election to be held on November 7, 2023 (the "Election"); and

WHEREAS, the Board has, on the date of adoption of this Order, set the District's 2023-2024 tax rate at \$1.2031 per \$100 of taxable assessed valuation, which is a rate that exceeds the District's voter-approval rate, excluding the District's current debt rate under Section 26.08(n)(1)(C), Texas Tax Code, and therefore the Board is obligated to call an election to ratify such tax rate pursuant to Section 26.08(b), Texas Tax Code, as hereinafter ordered; and

WHEREAS, the District is contracting with Tarrant County, Texas (the "County") for the administration of the Election pursuant to an interlocal agreement with Tarrant County (the "Election Contract"); and

WHEREAS, the County, acting through the Tarrant County Elections Administrator (the "Administrator") in accordance with the Election Contract will provide for the administration of the Election; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order was adopted was open to the public, and public notice of the time, place, and purpose of the meeting was given, all as required by the Texas Government Code, Chapter 551;

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

**Section 1. Recitals.** The statements contained in the preamble of this Order are true and correct and adopted as findings of fact and operative provisions hereof.

**Section 2. Election Ordered; Polling Places.** The Election shall be held in the District between the hours of 7:00 a.m. and 7:00 p.m. on November 7, 2023 ("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 for the purpose of submitting the proposition below to the qualified voters of the District. The Election is to be conducted and administered by the County as provided by Chapter 271 and Chapter 31, Subchapter D of the Texas Election Code (the "Code"), and the Election Contract. Voting on Election Day and Early Voting shall occur on the dates and during the hours and at the designated polling places as set forth in **Exhibit A** attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. The locations in **Exhibit A** are hereby designated at the voting locations. **Exhibit A** shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and/or the Code.

**Section 3. Early Voting.** Early voting shall be administered by the County. Early Voting by personal appearance shall begin on October 23, 2023 and conclude on November 3, 2023 and will be conducted at the Early Voting locations on the dates and at the times specified in **Exhibit A** attached hereto and which locations are hereby designated as the early voting locations. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the District at such voting place. **Exhibit A** shall be modified to include additional or different early voting polling places required to conform to the Election Contract and/or the Code.

**Section 4. Election Officials.** The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Administrator.

**Section 5. Voting by Mail.** Applications for voting by mail for all residents of the District shall be submitted, prior to the applicable deadline prescribed by law, by (i) mail to Tarrant County Elections, PO Box 961011, Fort Worth, Texas 76161-0011 or (ii) email to [votebymail@tarrantcounty.com](mailto:votebymail@tarrantcounty.com). If submitted by email, a hard copy of the application must be mailed to the foregoing address within four days of sending the email. Applications for voting by mail for all Tarrant County residents of the District may also be submitted by Express Courier Delivery to Tarrant County Elections, 2700 Premier St., Fort Worth, Texas 76111-3011.

**Section 6. Early Voting Ballots.** An Early Voting Ballot Board shall be created to process early voting results of the Election, and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

**Section 7. Qualified Voters.** All qualified electors of and residing in the District, shall be entitled to vote at the election.

**Section 8. Proposition.** At the Election the following PROPOSITION shall be submitted in accordance with law:

BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION  
BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION A

Ratifying the ad valorem tax rate of \$1.2031 per \$100 valuation in Birdville Independent School District for the current year, a rate that will result in a Decrease of 3.77% percent in maintenance and operations tax revenue for the district for the current year as compared to the preceding year, which is a Reduction of \$4,508,377.

**Section 9. Ballots.** The official ballots for the Election shall be prepared in accordance with the Texas Election Code to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

BIRDVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION  
BIRDVILLE INDEPENDENT SCHOOL DISTRICT PROPOSITION A

FOR \_\_\_\_\_ ) Ratifying the ad valorem tax rate of \$1.2031 per \$100 valuation in  
\_\_\_\_\_ ) Birdville Independent School District for the current year, a rate that  
AGAINST \_\_\_\_\_ ) will result in a Decrease of 3.77% percent in maintenance and  
\_\_\_\_\_ ) operations tax revenue for the district for the current year as compared  
\_\_\_\_\_ ) to the preceding year, which is a Reduction of \$4,508,377.

**Section 10. Compliance with Federal Law.** In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The District hereby finds that the voting system to be used by the Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the District in its elections.

**Section 11.** The Board hereby authorizes the Superintendent, Associate Superintendent of Finance & Auxiliary Services, President, Vice President or the Secretary of the Board to execute or attest on behalf of the District the Election Contract with the County.

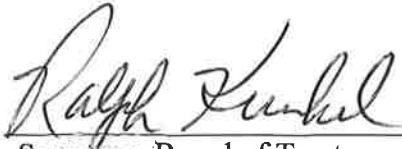
**Section 12.** Notice of the Election, including a Spanish translation thereof, shall be published at least one time in a newspaper of general circulation in the District, with such publication occurring not more than 30 days and not less than 10 days before Election Day. Additionally, notice of the Election, including a Spanish translation thereof, shall be posted in a public place in each election precinct within the District not later than the 21<sup>st</sup> day before Election Day.

**Section 13.** The Board hereby authorizes the President of the Board, the Superintendent and the Associate Superintendent of Finance & Auxiliary Services of the District, individually or collectively, or the respective designee of either, 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. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board.

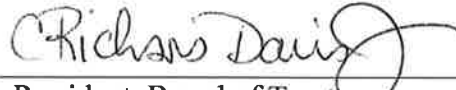
**Section 14.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein. If any provision 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.

SIGNED AND SEALED ON AUGUST 21, 2023.



Secretary, Board of Trustees



President, Board of Trustees

(District Seal)

**Exhibit A**

**Early Voting Location Dates and Hours**

**TARRANT COUNTY EARLY VOTING**

To be updated to reflect information in Election Contract

**Election Day Voting Location and Hours**

**NOVEMBER 7, 2023, 7:00 a.m. - 7:00 p.m.**

To be updated to reflect information in Election Contract