

10-11

The Honorable  
K P George  
CCM 08/17/2020  
item # 2

# PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

FBC Bond Election  
(page 1)

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)  
on Back

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

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\_\_\_\_\_, A.D. 2020



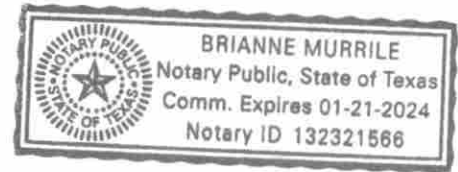
Lee Hartman  
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

- a) is personally known to me, or
- b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 14th day of October, A.D. 2020 to certify which witness my hand and seal of office.

Brianne Murrile  
Notary Public, State of Texas



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930 Legal Notices

NOTICE OF BOND ELECTION

TO THE RESIDENT, QUALIFIED ELECTORS OF FORT BEND COUNTY, TEXAS:

NOTICE IS HEREBY GIVEN that an election will be held in FORT BEND COUNTY, TEXAS, on the 3rd day of November, 2020, in accordance with the following order:

ORDER CALLING BOND ELECTION; PROVIDING FOR THE CONDUCT AND THE GIVING OF NOTICE OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the Commissioners Court (the "Court") of Fort Bend County, Texas (the "County") finds and determines that it is necessary and advisable to call and hold an election within the County on the propositions hereinafter set forth; and

WHEREAS, it is hereby officially found and determined that said election shall be held on a uniform election date established by Section 41.001(a), Texas Election Code (the "Code"), as required by Texas law; and

WHEREAS, the Court finds and declares that the meeting at which this 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, as amended; now, therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS:

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) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballots 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 amounts 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 to pay the annual principal of and interest on the bonds and the costs of any credit agreements may be imposed, (v) bonds authorized pursuant to this Election Order may be issued to mature over not to exceed 40 years from their date of issuance, (v) based on market conditions at the time of this Election Order, the maximum net effective interest rate on any series of the bonds is estimated to be 8%, (vi) as of the date of this Election Order, (A) the aggregate amount of outstanding principal of the County's debt obligations is \$512,246,310, (B) the aggregate amount of outstanding interest on the County's debt obligations is \$193,030,155, and (C) the County's ad valorem debt service tax rate is \$0.0752 per \$100 valuation of taxable property.

(c) The statements contained in this Section (i) are based on information available to the County on the date of adoption of this Election Order, including projections obtained from the County'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

CREATE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS THEY MATURE, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING THE TEXAS GOVERNMENT CODE AND THE TEXAS LOCAL GOVERNMENT CODE?

Section 4. Official Ballot. (a) Voting at the Election, and early voting therefor, shall be by the use of lawfully approved 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 aforesaid Propositions which shall be set forth on the ballots substantially in the following form:

FORT BEND COUNTY, TEXAS SPECIAL ELECTION FORT BEND COUNTY PROPOSITION A

- [ ] FOR ) THE ISSUANCE OF BONDS IN THE AMOUNT OF \$218,185,000 FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF COUNTY ROADS, INCLUDING ROADS WITHIN THE CITIES OF KENDLETON, ROSENBERG, FAIRCHILDS, NEEDVILLE, RICHMOND, STAFFORD, MISSOURI CITY, MEADOWS PLACE, FULSHEAR AND SUGAR LAND, AND THE IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.
[ ] AGAINST )

FORT BEND COUNTY, TEXAS SPECIAL ELECTION FORT BEND COUNTY PROPOSITION B

- [ ] FOR ) THE ISSUANCE OF BONDS IN THE AMOUNT OF \$38,400,000 FOR COUNTY PARK FACILITIES AND THE IMPOSITION OF TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.
[ ] AGAINST )

Section 5. Persons Qualified to Vote. All resident, qualified electors of the County shall be eligible to vote at the Election.

Section 6. 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 County situated within the County election precincts, which bear the precinct numbers set forth in Exhibit A attached hereto and incorporated herein. The voting location for voting on Election Day for each election precinct shall be as set forth in Exhibit A, or at such other locations as hereafter may be designated by the County Elections Administrator. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 7. Early Voting Locations, Dates and Times. (a) Early voting by personal appearance for all election precincts in the County shall be held at the locations, at the times and on the days set forth in Exhibit B, or at such other locations as hereafter may be designated by the County Elections Administrator.

**Section 2. Election Ordered; Date.** An election (the "Election") shall be held for and within the County on Tuesday, November 3, 2020 ("Election Day"), in accordance with the Code.

**Section 3. Propositions.** At the Election the propositions set forth in this Section (the "Propositions") shall be submitted to the qualified voters of the County in accordance with law. The Propositions shall appear on the ballot in the order set forth below.

**FORT BEND COUNTY, TEXAS SPECIAL ELECTION  
FORT BEND COUNTY PROPOSITION A**

SHALL THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, BE AUTHORIZED TO ISSUE AND SELL, AT ANY PRICE OR PRICES, THE BONDS OF SAID COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$218,185,000, BEARING INTEREST AT A RATE OR RATES NOT EXCEEDING THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF SAID COMMISSIONERS COURT AT THE TIME OF ISSUANCE, AND MATURING SERIALY OR OTHERWISE AT SUCH TIMES AS MAY BE FIXED BY SAID COMMISSIONERS COURT, NOT TO EXCEED 40 YEARS OR SUCH LESSER MAXIMUM TERM AUTHORIZED BY LAW AT THE TIME OF ISSUANCE, FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND OPERATION OF MACADAMIZED, GRAVELED OR PAVED ROADS AND TURNPIKES, OR IN AID THEREOF, INCLUDING ROADS AND TURNPIKES THAT ARE INTEGRAL PARTS OF OR CONNECTING LINKS WITH COUNTY ROADS OR STATE HIGHWAYS, OR IN AID THEREOF, WITHIN THE CITIES OF KENDLETON, ROSENBERG, FAIRCHILDS, NEEDVILLE, RICHMOND, STAFFORD, MISSOURI CITY, MEADOWS PLACE, FULSHEAR AND SUGAR LAND, AND ANNUALLY TO LEVY AN AD VALOREM TAX, WITHOUT LEGAL LIMIT AS TO RATE OR AMOUNT, UPON ALL TAXABLE PROPERTY WITHIN SAID COUNTY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT ACCRUES, AMOUNTS SUFFICIENT TO CREATE AND PROVIDE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS THEY MATURE AND THE COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED IN ANTICIPATION OF, RELATED TO, OR IN CONNECTION WITH THE BONDS), AS NOW OR HEREAFTER AUTHORIZED BY LAW, EXECUTED IN CONNECTION WITH THE BONDS; SAID BONDS TO BE ISSUED AND SAID TAXES TO BE LEVIED, PLEDGED, ASSESSED, AND COLLECTED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING THE TEXAS GOVERNMENT CODE AND THE TEXAS TRANSPORTATION CODE?

**FORT BEND COUNTY, TEXAS SPECIAL ELECTION  
FORT BEND COUNTY PROPOSITION B**

SHALL THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, BE AUTHORIZED TO ISSUE AND SELL, AT ANY PRICE OR PRICES, THE BONDS OF SAID COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$38,400,000, BEARING INTEREST AT A RATE OR RATES NOT EXCEEDING THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF SAID COMMISSIONERS COURT AT THE TIME OF ISSUANCE, AND MATURING SERIALY OR OTHERWISE AT SUCH TIMES AS MAY BE FIXED BY SAID COMMISSIONERS COURT, NOT TO EXCEED 40 YEARS OR SUCH LESSER MAXIMUM TERM AUTHORIZED BY LAW AT THE TIME OF ISSUANCE, FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, RENOVATING, EQUIPPING AND ACQUIRING LAND, BUILDINGS AND FACILITIES FOR PARK AND RECREATIONAL PURPOSES, AND TO LEVY TAXES UPON ALL TAXABLE PROPERTY WITHIN THE COUNTY ANNUALLY SUFFICIENT TO PAY THE INTEREST ON THE BONDS AS IT ACCRUES AND TO

(b) The County Elections Administrator, John Oldham, is hereby designated as the Early Voting Clerk to perform those functions for County voters who are qualified under state and federal law in their respective counties. The Early Voting Clerk shall receive applications for early voting by mail in accordance with the Code

(c) Applications for ballots to be voted by should be directed to:

John Oldham  
Fort Bend County Elections Administrator  
301 Jackson St.  
Richmond, Texas 77469-3108

**Section 8. Appointment of Election Officers.** Prior to the Election Day, the election judges, alternate judges, clerks and other personnel necessary for conducting the Election will be appointed by the County Elections Administrator, and the election judges and alternate judges may be changed and the polling places may be combined for some precincts, pursuant to decisions of the County Elections Administrator. The County Elections Administrator shall also be responsible for establishing the central counting station for the ballots cast in such election and appointing the personnel necessary for such station. The Court hereby authorizes the County Judge to appoint any such other officials not designated herein or appointed by the County Elections Administrator as are necessary and appropriate to conduct the Election in accordance with the Code.

**Section 9. Notice of Election.** Notice of the Election shall be given in English and Spanish by (i) publishing a substantial copy of this Order on the same day in each of two (2) successive weeks in a newspaper of general circulation in the County, the first of these publications to appear in such newspaper not more than thirty (30) days, and not less than fourteen (14) full days prior to Election Day; (ii) posting a copy of this Order on the bulletin board(s) used for posting notices of the Court's meetings and in three public places within the boundaries of the County not later than the 21st day prior to the date set for the Election; (iii) posting a copy of the Order at the County Courthouse; (iv) posting a copy of this Order on Election Day and during early voting by personal appearance in a prominent location at each polling place; and (v) posting this Order, together with the notice of Election, sample ballots, voter information documents and the contents of the Propositions, on the County's internet website during the 21 days before the Election. Notice of the Election shall also be provided to the county clerk of the County not later than the 60th day before the Election Day.

**Section 10. Conduct of Election.** Said 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, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

**Section 11. Voter Information Documents.** The form of Voter Information Documents for Proposition A and B are attached hereto as Exhibit C. The Voter Information Documents 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, Texas Election Code, and may be posted as part of this Election Order.

**Section 12. Necessary Actions.** The Commissioners Court authorizes the County Judge, the County Clerk, County Elections Administrator, the Chief Financial Officer of the County and any other officers or employees of the County, in consultation with the County Attorney and the County's bond counsel, to negotiate and enter into a joint election agreement or agreements with other political subdivisions located within the County in accordance with the provisions of the Code and the Federal Voting Rights Act of 1965, and 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 Commissioners Court is evidenced herein.

**Section 13. Severability.** If any provision, section, subsection, sentence, clause or phrase of this 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 Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Court in adopting this 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 Order are declared to be severable for that purpose.