

AN ORDER CALLING A BOND ELECTION FOR MAY 3, 2025 TO BE HELD WITHIN MONTGOMERY COUNTY, TEXAS; DESIGNATING VOTER POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; PROVIDING FOR CONDUCT OF THE ELECTION AND FOR THE CONDUCT OF A JOINT ELECTION WITH VARIOUS POLITICAL SUBDIVISIONS; AND PROVIDING FOR OTHER MATTERS RELATED TO SUCH ELECTION

WHEREAS, pursuant to the provisions of Chapters 1251 and 1471, Texas Government Code, as amended; the Texas Election Code and other related statutes, the Commissioners Court (the "Commissioners Court") of Montgomery County, Texas (the "County"), finds and determines that it is advisable to hold an election for the purpose of ascertaining whether the Commissioners Court shall be authorized to issue the bonds of the County for the purposes and the amount set forth herein; and

WHEREAS, the Commissioners Court finds and determines that said election shall be held on a uniform election date established by Section 41.001(a), Texas Election Code, as amended, as required by Texas law; and

WHEREAS, the Commissioners Court wishes to proceed with the ordering of such election:

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS COURT OF MONTGOMERY COUNTY, TEXAS:

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

Section 2. Election Ordered; Date; Proposition. An election (the "Election") shall be held for and within the County on Saturday, May 3, 2025 ("Election Day"), a uniform election date established by Section 41.001(a) of the Texas Election Code, as amended (the "Texas Election Code"), which date is seventy-eight (78) or more days (but not more than 90 days) from the date of the adoption of this Order. The Election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and a joint election agreement to be entered into between the County and other political subdivisions located in Montgomery County which are holding an election on May 3, 2025. At the Election, the following proposition (the "Proposition") shall be submitted to the qualified voters of the County in accordance with law:

MONTGOMERY COUNTY, TEXAS – PROPOSITION A

SHALL THE COMMISSIONERS COURT OF MONTGOMERY COUNTY, TEXAS, BE AUTHORIZED UNDER ARTICLE III, SECTION 52, OF THE TEXAS CONSTITUTION TO ISSUE AND SELL, AT ANY PRICE OR PRICES AND IN ONE OR MORE SERIES OR ISSUES, THE BONDS OF THE COUNTY IN THE AMOUNT OF \$480,000,000 MATURING SERIALY OR OTHERWISE WITHIN 30 YEARS FROM THEIR DATE OR DATES, AND

BEARING INTEREST AT SUCH RATE OR RATES (FIXED, VARIABLE OR OTHERWISE), NOT TO EXCEED THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE COMMISSIONERS COURT AT THE TIME OF ISSUANCE, FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF MACADAMIZED, GRAVELED, OR PAVED ROADS OR TURNPIKES, OR IN AID THEREOF, BEING, GENERALLY (BUT NOT BY WAY OF LIMITATION), CONSTRUCTING, DESIGNING, IMPROVING, EXTENDING, EXPANDING, UPGRADING AND/OR DEVELOPING COUNTY ROADS, REGIONAL CONNECTIVITY IMPROVEMENTS, CONNECTORS, AND/OR STATE HIGHWAYS, INCLUDING RIGHT-OF-WAY ACQUISITION, MOBILITY IMPROVEMENTS, UTILITY RELOCATION, ROADWAY ALIGNMENT IMPROVEMENTS, DRAINAGE IMPROVEMENTS, ENVIRONMENTAL MITIGATION AND CONSERVATION, PEDESTRIAN WALKWAYS AND BICYCLE TRANSPORTATION IMPROVEMENTS RELATING TO ROAD IMPROVEMENTS, TRAFFIC SAFETY, OTHER SAFETY, AND OPERATIONAL IMPROVEMENTS, OTHER ROAD TRANSPORTATION RELATED IMPROVEMENTS, DESIGN AND ENGINEERING COSTS AND OTHER COSTS ALL RELATED TO SOME OR ALL OF THE FOREGOING AND IN PROVIDING FOR THE ABOVE PROJECTS, THE COMMISSIONERS COURT SHALL HAVE THE DISCRETION TO PRIORITIZE SUCH PROJECTS AND TO APPLY BOND AUTHORIZATION IN ACCORDANCE WITH SUCH PRIORITY, AND TO LEVY AND IMPOSE AD VALOREM TAXES UPON ALL TAXABLE PROPERTY WITHIN THE COUNTY, ANNUALLY SUFFICIENT TO PAY THE INTEREST ON THE BONDS AS IT ACCRUES AND TO CREATE A SINKING FUND TO PAY THE PRINCIPAL OF THE BONDS AS IT MATURES?

Section 3. Official Ballot. The official Ballot shall be prepared in accordance with the Texas Election Code so as to permit the voters to for “FOR” or “AGAINST” the proposition which shall be set forth on the ballot in English and in Spanish in substantially the following form:

OFFICIAL BALLOT

MONTGOMERY COUNTY, TEXAS – PROPOSITION A

- | | |
|-------------|---|
| [] FOR |) THE ISSUANCE OF \$480,000,000 OF BONDS FOR THE
) CONSTRUCTION, MAINTENANCE, AND OPERATION OF
) MACADAMIZED, GRAVELED, OR PAVED ROADS OR
) TURNPIKES, OR IN AID THEREOF; AND THE LEVYING OF A TAX |
| [] AGAINST |) SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE
) BONDS. |

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

Section 5. Election Precincts, Voting Locations and Voting Hours on Election Date. The polls shall be open for voting on Election Day from 7:00 a.m. to 7:00 p.m. at the County designated polling places identified in Exhibit A attached hereto and incorporated herein by reference for all purposes, in each of the County election precincts which have been heretofore established and described by natural or artificial boundaries or survey lines by an order adopted by the Commissioners Court and on file in its minutes. The exhibit may be revised as necessary to conform to the final polling locations established by the County in accordance with the Texas Election Code. The Election shall be conducted at each polling place by the officers appointed by separate order of the Commissioners Court in accordance with applicable provisions of the Texas Election Code.

Section 6. Early Voting Locations, Dates and Times. (a) Early voting by personal appearance shall be conducted at Montgomery County Elections Office, 9159 Airport Road, Conroe, Texas 77303, which is hereby designated as the main early voting polling place for said election. Early voting shall begin on Tuesday, April 22, 2025, and shall end on Tuesday, April 29, 2025, and, in addition to the main early voting polling place, shall be conducted at the dates, times, and early voting polling places identified in Exhibit A attached hereto and incorporated herein for all purposes. The exhibit may be revised as necessary to conform to the final early voting locations established by the County in accordance with the Texas Election Code. Suzie Harvey, the Montgomery County Elections Administrator, is hereby appointed as Early Voting Clerk for the Election. Deputy early voting judges/clerks will be appointed by the Montgomery County Elections Administrator, without further action of the Commissioners Court, as needed to process early voting mail and to conduct early voting. Early voting by mail shall be conducted in conformance with the requirements of the Texas Election Code. Ballot applications and ballots voted by mail shall be sent to:

Mailing Address:

Elections Administrator
P.O. Box 2646
Conroe, Texas 77305-2646

Physical Address for Carrier or In-Person Delivery:

Elections Administrator
9159 Airport Road
Conroe, Texas 77303

(b) The Montgomery County Elections Administrator is hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judges and alternate judges in accordance with the requirements of the Texas Election Code and/or by separate order of the Commissioners Court.

Section 7. Notice of Election. Notice of the Election, stating in substance the contents of this Order, shall be given by:

- (i) publishing a substantial copy of this Order, in English and Spanish, on the same day of each of two (2) successive weeks not earlier than the thirtieth (30th) day

- nor later than the fourteenth (14th) day prior to the date set for the Election, in a newspaper of general circulation in the County;
- (ii) posting a copy of this Order, in English and Spanish, at the County courthouse on the bulletin board used for posting notices of the meetings of the Commissioners Court and at three (3) other public places within the County, not later than the twenty-first (21st) day prior to the date set for the Election;
 - (iii) posting a copy of this Order and the Voter Information Document (as defined herein), in English and Spanish, on the County's website, prominently and together with the notice of the Election, a copy of the sample ballot and the contents of the Proposition, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day; and
 - (iv) posting a copy of this Order and the Voter Information Document, in English and Spanish, on Election Day and during early voting by personal appearance, in a prominent location at each polling place.

For each precinct that is combined to form a consolidated precinct under Section 42.008, Election Code, not later than the tenth (10th) day before Election Day, notice of each precinct's consolidation and the location of the polling place in the consolidated precinct shall be posted at the polling place used in the preceding General Election and such notice shall remain posted continuously through Election Day.

A voter information document for the Proposition (the "Voter Information Document") shall also be prepared and posted in the same manner described in (ii), (iii) and (iv) of the first sentence of this Section 7, except that the Voter Information Document need not be posted on the bulletin board used for posting notices of meetings of the Commissioners Court.

The Montgomery County Elections Administrator is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

Section 8. Conduct of Election. (a) The Election shall be conducted under the jurisdiction of the Montgomery County Elections Administrator.

(b) Election judges, alternate judges and clerks shall be paid, as determined by separate order of the Commissioners Court, for their service in the Election.

(c) The voting system or equipment heretofore adopted by the Commissioners Court for County elections shall be used for the Election.

(d) The Election shall be held and conducted in compliance with the Texas Election Code except as modified by other applicable provisions of law.

(e) The election officers shall make returns for the Election in the manner required by law, and the ballots that are properly marked in conformance with the provisions of the Texas Election Code for votes cast by mail, during the period of early voting and on Election Day shall be counted in the manner required by law.

Section 9. 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 2 of this Order, (ii) the purposes for which the bonds are to be authorized are set forth in Section 2 of this Order, (iii) the principal amount of bonds to be authorized is set forth in Section 2 of this 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 2 of this Order, (v) bonds authorized pursuant to this Order may be issued to mature over a specified number of years not to exceed 30 years from the date of issuance and bearing interest at the rate or rates (fixed, variable or otherwise), not to exceed the maximum interest rate now or hereinafter authorized by law and determined by the Commissioners Court, (vi) as of the date of the adoption of this Order, the aggregate amount of outstanding principal of the County's debt obligations is \$417,980,000, and the aggregate amount of outstanding interest on the County's debt obligations is \$157,000,390, and (vii) the County's ad valorem debt service tax rate as of the date of adoption of this Order is \$0.0445 per \$100 valuation of taxable property.

(b) Based upon market conditions as of the date of this Order, the maximum net effective interest rate for any series of the bonds is estimated to be 4.75%. 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 County'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 Commissioners Court to issue bonds in accordance with the Propositions submitted by this Order.

Section 10. Necessary Actions. The County Judge and the Montgomery County Elections Administrator, in consultation with the County Attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code, including particularly, Chapter 272 of the Texas Election Code pertaining to bilingual requirements, and, to the extent applicable, the Federal Voting Rights Act of 1965, as amended, in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Order.

Section 11. 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 Commissioners 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.

Section 12. Open Meeting. It is hereby officially found and determined that notice of the meeting at which this Order is adopted was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, and that such meeting has been open to the public at all times when this Order was discussed and acted on.

Section 13. Effective Date. This Order shall take effect immediately upon its adoption.

PASSED AND APPROVED the 11th day of February, 2025

COUNTY OF MONTGOMERY, TEXAS

County Judge
Montgomery County, Texas

ATTEST:

County Clerk
Montgomery County, Texas

(SEAL)

EXHIBIT A

**EARLY VOTING AND ELECTION DAY
POLLING LOCATIONS AND TIMES**

(attached)