

ORDER CALLING TRUSTEE GENERAL ELECTION FOR NOVEMBER 8, 2022;
MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND ORDERING
OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the Board of Trustees (the "Board") of the Austin Community College District (the "District" or "ACC") has the authority to call a General Election ("General Election") for trustees to serve six-year terms for places four (4), five (5), and six (6); and

WHEREAS, other political subdivisions in all or part of the territory of ACC are holding elections on the same date; and

WHEREAS, the Board also has the authority pursuant to Chapter 271, Texas Election Code and Chapter 791 of the Texas Government Code, to enter into joint election agreements with other entities also holding elections on the same date; and

WHEREAS, the Board also has the authority pursuant to Chapter 31, Texas Election Code, to enter into a contract for election services with Travis, Bastrop, Caldwell, Hays, Lee and Williamson Counties; and

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE AUSTIN COMMUNITY COLLEGE DISTRICT THAT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. The General Election (the "Election"), shall be held on Tuesday, November 8, 2022, which is seventy-eight (78) or more days from the date of the adoption of this Order (the "Order") within the entire territory of ACC for trustees to serve six-year terms for places four (4), five (5), and six (6) at which all resident, qualified electors of ACC's taxing district shall be entitled to vote for candidates for the college board trustee positions at issue. The Board hereby finds that holding the Election on such date, which is a uniform election 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. Conduct of Election. The Elections shall be conducted by election officers, in accordance with the Texas Education Code, Texas Election Code, the Constitution, laws of the State of Texas and the United States of America. As defined and described in Title 8 of the Texas Election Code, electronic voting systems shall be utilized for the Elections. The following counties will utilize the following systems:

<u>County</u>	<u>System</u>
Travis	ES&S ExpressVote Universal Voting System DS200 Digital Precinct Scanner
Hays	Hart Verify Duo
Caldwell	ES&S
Bastrop County	ES&S EVS 6110
Lee County	ES&S EXPRESSVOTE, ES&S EXPRESSTOUCH, DS200
Williamson County	ES&S EVS 6.1.1.0 with ES&S ExpressVote Ballot Marking Devices,

ES&S DS200 Precinct
Scanners & ES&S
DS850 Central Count
Scanner

The Board appoints Alicia del Rio as the District's Election Administrator to perform the duties of conducting the Election. Pursuant to Chapters 31 and 271 of the Texas Election Code, the Board is authorized to enter into elections services agreements, and joint election agreements with each respective county, and any other entities as applicable. The Board hereby finds that this Election shall be conducted under these agreements, and such agreements will be presented to the Board of Trustees for its approval in the near future.

Section 3. Voting Precincts; Polling Places; Election Judges, Alternates, Clerks and other Election Officials. Except as otherwise provided herein, the presently existing boundaries and territory of the respective counties of Bastrop, Caldwell, Hays, Lee, Travis and Williamson that are wholly or partially within the territorial boundaries of ACC's taxing district are hereby designated as the voting precincts of ACC for the Elections. The precinct numbers for the ACC's election precincts shall be the corresponding Bastrop, Caldwell, Hays, Lee, Travis and Williamson Counties Election Precinct Number of each precinct that is wholly or partially within the District. The Board finds the use of vote centers, if applicable, under the Countywide Polling Place Program as described in Section 43.007, Texas Election Code, will result in a more convenient voting opportunity for the voters and a more efficient and cost-effective administration of the election, and use of vote centers by each County, where applicable, are hereby approved. The early voting polling places, as well as the times and dates for early voting and election day polling places, voting precincts or combined precinct, or vote centers if any, will be presented to the Board of Trustees for its approval in the near future.

Section 271.003 of the Texas Election Code provides that voters of a particular election precinct or a political subdivision may be served in a joint election by a common polling place located outside the boundary of the election precinct or political subdivision, if the location can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the election. To the extent any polling place utilized for the conduct of the Election is located outside the boundaries of an election precinct, the Board specifically finds that the polling place selected by the District is convenient and will adequately serve the voters of the District.

The Board hereby designates the Presiding Judges, Alternate Presiding Judges, early voting clerks and other election officials (the "Election Officials") recommended by the County Clerks and the County Elections Administrators for the respective election precincts or vote centers in each County. The Presiding Judge at each precinct shall have authority to retain and deputize clerks for the conduct of the election in accordance with the directives established by the County Clerks and/or the County Elections Administrators for this Election. The rate of pay for the Election Officials shall be specified by the County Clerks and/or the County Elections Administrators for officials serving in their respective territories. The rate of pay for judges and clerks of the election shall be determined according to the election services agreements with the respective counties. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended, and other applicable laws. A public school of instruction for all election officers shall be held. The Presiding Judges of the Bastrop, Caldwell, Hays, Lee, Travis and Williamson County early voting ballot boards shall count and return early voting ballots in accordance with the Election Code.

Section 4. Early Voting. The Board appoints Alicia del Rio as the Early Voting Clerk

for ACC. The Early Voting Clerk for ACC shall collect all applications for ballot by mail received at the ACC Offices, if any, and forward those applications to the correct County election official.

Early Voting by Mail

The Joint Early Voting Clerk for the following counties shall collect all applications for ballots received during the period allowed by the Texas Election Code.

County	Joint Early Voting Clerk
Bastrop	Kristin Miles ACC Early Voting Clerk -Trustee Election 804 Pecan Street Bastrop, TX 78602 Phone: 512-581-7160 Email: elections@co.bastrop.tx.us Website: https://www.bastropvotes.org/
Caldwell	Kimber Daniel ACC Early Voting Clerk -Trustee Election Scott Annex Building 1403 Blackjack Street, Suite A Lockhart, TX 78644 Phone: 512-668-4347 Fax: 512-668-1821 Email: caldwellec@co.caldwell.tx.us Website: https://www.co.caldwell.tx.us/page/caldwell.ElectionsOffice
Hays	Jennifer Doinoff ACC Early Voting Clerk -Trustee Election 712 South Stagecoach Trail, Ste. 1012 San Marcos, TX 78666 Phone: 512-383-7310 Email: elections@co.hays.tx.us Website: https://hayscountytexas.com/departments/elections/
Lee	Teresa Shed ACC Early Voting Clerk -Trustee Election P.O. Box 480 Giddings, TX 78942 Physical: 843 E. Industry, Ste. B Giddings, TX 78942 Phone: 979-540-2731 Fax: 979-540-2732 Email: teresa.shed@co.lee.tx.us Website: https://www.co.lee.tx.us/page/lee.Elections
Travis	Rebecca Guerrero ACC Early Voting Clerk – Trustee Election P.O. Box 149325 Austin, Texas 78714 Physical: 5501 Airport Boulevard Austin, TX 78751 Phone: 512-238-VOTE Email: elections@traviscountytexas.gov Website: https://countyclerk.traviscountytexas.gov/departments/elections/
Williamson	Christopher J. Davis ACC Early Voting Clerk – Trustee Election Box 209 Georgetown, TX 78627 Physical: 301 SE Inner Loop, Ste. 104, Georgetown, TX 78626 Phone: 512-943-1630 Fax: 512-943-1634 Email: cjdavis@wilco.org Website: https://www.wilco.org/Departments/Elections

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 on the same ballots utilized for early voting by personal appearance at the Elections.

The period to apply for a ballot by mail ends on October 28, 2022. The application must be received by the Joint Early Voting Clerk of each respective County by October 28, 2022 (mere postmarking by the deadline is insufficient).

Early Voting by Personal Appearance

Early voting by personal appearance shall be conducted beginning on October 24, 2022 and ending on November 4, 2022.

Section 5. Canvassing of Returns: Declaring Results. The Custodian shall make a written return of the Election results to the Board in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Elections.

If the Board finds at the time of canvassing the election results, that no candidate for a particular place for trustee has received the votes of a majority of the resident, qualified electors voting at the Elections, including those voting early, then a run-off election will be ordered by the Board between the two candidates receiving the highest number of votes for the particular place at a time and under procedures appropriate under the Texas Election Code.

Section 6. Appointment of Custodian of Records and Agent. To the extent not otherwise provided for in the Election Agreements, the Board appoints Alicia Del Rio, ACC's Election Administrator, as the Custodian of Records ("Custodian") and agent to the Board Secretary ("Agent") to perform the duties related to the conduct and maintenance of records of the Elections as required under the Texas Election Code during the period beginning the fiftieth (50) before election day and ending not earlier than the fortieth (40th) day after the day of the election. In particular, the Custodian shall provide applications for candidates, accept applications from candidates for a place on the ballot, determine the order in which names will appear on the ballot for the trustee positions and accept and maintain records regarding campaign expenditures that may be filed with ACC.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period required by law. The Custodian shall post notice of the location and hours of her office as required by the Texas Election Code. The Custodian shall maintain in her office the documents, records, and other items relating to the election and shall be the person designated to receive documents on behalf of ACC that are required by the Texas Election Code.

The Joint Custodians of Records ("Joint Custodians") when the joint election agreements are adopted, pursuant to Sections 66.058 and 271.010 of the Election Code, shall preserve all voted ballots securely in a locked room in the locked ballot boxes for the period for preservation required by the Election Code.

In the event that the Board's Agent shall determine from time to time that (a) the polling places hereby established and designated shall become unavailable or unsuitable for such use, or it would be in the District's best interests to relocate the polling places, or (b) that the Presiding Election Judge, Alternate Presiding Judges appointed or hereinafter designated shall become disqualified or unavailable, the Board's Agent is hereby authorized to designate and

appoint in writing substitute polling places, Presiding Election Judges or Alternate Presiding Elections Judges, giving such notice as is required by the Election Code and as deemed sufficient. Furthermore, the Board's Agent is hereby authorized to allow Presiding Election Judges or Alternate Presiding Election Judges, upon request to designate and appoint such additional clerks as may be required from time to time to assist at polling places in order to efficiently carry out the duties of the office, giving such notice as is required by the Election Code and as deemed sufficient.

Section 7. Election Information to be provided in Spanish. The Custodian of Records appointed by the Board shall be responsible for the preparation of notices, instructions, orders, ballots and other written material pertaining to the Election and shall cause each such document to be translated into and furnished to voters in both the English and Spanish language in order to aid and assist voters speaking Spanish as a primary or an alternative language to properly participate in the election process. In addition, the Custodian is hereby authorized and directed to make available to the voters having the need of an individual capable of acting as a translator and speaking both English and Spanish languages who will assist Spanish speaking voters in understanding and participating in the election process.

Section 8. Notice of Election Publication and Posting Requirements.

Publication of Notice of Election

Notice of the Election, stating in substance the contents of this Order, shall be published one time in the English and Spanish languages, in a newspaper published within ACC's territory, or if no such paper exists, in a newspaper of general circulation within ACC's territory, at least 10 days and no more than 30 days before the Election and as otherwise may be required by the Texas Election Code.

Posting of Notice of Election

Notice of the Election, stating in substance the contents of this Order, shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings, and on the Board's Internet website no later than the 21st day before the Election, or if the 21st day before the Election falls on a weekend or holiday, the notice must be posted on the first business day thereafter.

Section 9. Authority of the Board President. The Board President shall have the authority to take, or cause to be taken, all actions reasonable and necessary to insure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed.

Section 10. Preamble Incorporation. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 11. Inconsistent Provisions. 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.

Section 12. Governing Law. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

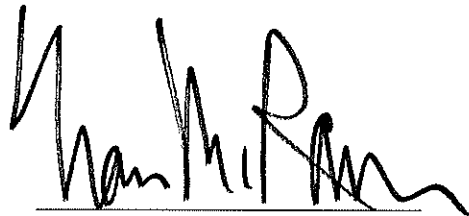
Section 13. Severability. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

Section 14. 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 Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for at 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 Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 15. Authorization to Execute. The President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Order on behalf of the Board; and the President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

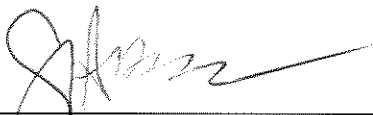
Section 16. Effective Date. This Order is effective immediately upon its passage and approval.

PASSED AND APPROVED August 1, 2022.



Dr. Nan McRaven
Chair of the Board of Trustees

ATTEST:



Sean Hassan
Secretary of the Board of Trustees

[SEAL]