

AN ORDER BY THE BOARD OF TRUSTEES OF SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT CALLING AN ELECTION TO BE HELD ON MAY 6, 2023, TO AUTHORIZE THE PURCHASE OF ATTENDANCE CREDITS AS PROVIDED BY CHAPTER 49, TEXAS EDUCATION CODE; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the Commissioner of Education (the “Commissioner”) has notified the San Marcos Consolidated Independent School District (the “District”), located in Hays County, and portions of Guadalupe and Caldwell County, Texas, that the District will be required to reduce its wealth per weighted average daily attendance for the 2022-2023 school year by employing one or more options available under Chapter 49 of the Texas Education Code (Chapter 49); and

WHEREAS, the District’s Board of Trustees (the “Board”), desires to exercise the statutory option of purchasing attendance credits as a means to equalize wealth pursuant to Chapter 49; and

WHEREAS, Texas Education Code, Chapter 49, Subchapter D, Section 49.151 of the Texas Education Code provides that a school district with a wealth per student that exceeds the equalized wealth level may execute an agreement with the commissioner of the Texas Education Agency to purchase attendance credits in an amount sufficient, in combination with any other actions taken under Chapter 49 of the Texas Education Code, to reduce the district's wealth per student to a level that is equal to or less than the equalized wealth level; and

WHEREAS, the Board has authorized and approved an Agreement for the Purchase of Attendance Credits for 2022-2023 school year; and

WHEREAS, the Texas Education Code, Chapter 49, Subchapter D, Section 49.156 requires that with respect to the Agreement with the Texas Education Agency, the Board of Trustees shall order and conduct an election to obtain voter approval of the Agreement; and

WHEREAS, the Board hereby finds and determines that an election should be held to determine whether the District shall be authorized to purchase attendance credits to equalize wealth pursuant to Chapter 49; and

WHEREAS, the District may enter into one or more election agreements (the “Joint Election Agreements”) with the Counties, by and through the Counties’ respective elections administrators or other election officers (collectively, the “Administrators”) and possibly other political subdivisions, in accordance with Section 11.0581 of the Texas Education Code and Chapter 271 of the Texas Election Code; and

WHEREAS, the Board hereby 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; therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT:

Section 1. 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. An Election shall be held for and within the District on Saturday, May 6, 2023 ("Election Day"), for the purpose of obtaining voter approval to purchase average daily attendance credits from the Texas Education Agency. Said election shall be held seventy-eight (78) or more days from the date of the adoption of this Election Order. The Board hereby finds that holding the Election on such 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 3. All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling place. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

Section 4. At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the "Proposition"):

SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
PROPOSITION

"AUTHORIZING THE BOARD OF TRUSTEES OF THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT TO PURCHASE ATTENDANCE CREDITS FROM THE STATE WITH LOCAL TAX REVENUES."

Section 5. The official ballot shall be prepared in accordance with the Election Code so as to permit voters to vote "FOR" or "AGAINST" the Proposition, which shall be set forth on the ballots in substantially the following form:

SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
PROPOSITION

"AUTHORIZING THE BOARD OF TRUSTEES OF THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT TO PURCHASE ATTENDANCE CREDITS FROM THE STATE WITH LOCAL TAX REVENUES."

Section 6. The voting precincts and polling places for the Election are hereby designated to be those county voting precincts identified by their respective precinct numbers as determined by the Elections Administrator. Such precincts and locations are listed on **Exhibit A** attached

hereto, which is incorporated herein by reference and made a part hereto for all purposes; provided however such precincts and locations may be changed if so, directed by the Election 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. Each polling place shall be open from 7:00 A.M. to 7:00 P.M. on the date of the Election.

Section 7. Early voting my personal appearance shall be conducted for the period early voting is permitted or required by law. Early voting by personal appearance shall be conducted at the early voting polling locations, dates and hours of day as set forth in **Exhibit A**.

Section 8. The Elections Administrator is hereby appointed as Early Voting Clerk for the Election. The early voting locations and the address for early voting by mail for the Election are hereby designated as set forth in **Exhibit A**; 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 locations as may be necessary for the proper conduct of the Election.

Section 9. (a) The Elections Administrator and/or Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Texas Election Code. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

(b) Applications for early voting by mail shall be submitted to the Early Voting Clerk during the time period and at the address set forth in **Exhibit A**.

(c) Voting times 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 voting hours as may be necessary for the proper conduct of the Election.

Section 10. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

Section 11. The District authorizes each Administrator to utilize a Central Counting Station (individually, the Station and, together, the Stations) as provided by Section 127.001, et seq., as amended, Texas Election Code. The Elections Administrators, or the designees thereof, are hereby appointed as the Manager of their respective Station, who will establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the Elections Administrators, or the designees thereof, to appoint the Presiding Judge of the respective Station, the Tabulation Supervisor, and the Programmer for the respective Station and may appoint Station clerks as needed or desirable. The Administrators will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to their respective Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

Section 12. Notice of election, being a copy of this Order, 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. Such notice of election shall also be posted on the bulletin board generally used for meeting notice not later than the 21st day before the date of the election.

Section 13. The Board authorizes the District's President of the Board of Trustees, the Superintendent of Schools, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the County, acting by and through the Administrator. In addition, the Board authorizes the President of the Board of Trustees, the Superintendent of Schools, or their designees 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.

Section 14. 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 Board 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 15. This Order shall take effect immediate upon its approval.

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PASSED AND APPROVED this 13 day of February 2023.

Clementine Cantu
President, Board of Trustees
San Marcos Consolidated Independent School District

ATTEST:

Mayra Mejia
Secretary, Board of Trustees
San Marcos Consolidated Independent School District





May 6, 2023 Uniform Election (Local Jurisdictions)



Vote Center Locations

Main Early Voting Site: **Hays County Government Center**

Exhibit "A"

Jennifer Doinoff, Elections Administrator: (512) 393-7310

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
April	23	24 Early Voting 7 am — 7 pm	25 Early Voting 8 am — 5 pm	26 Early Voting 8 am — 5 pm	27 Early Voting 8 am — 5 pm	28 Early Voting 8 am — 5 pm	29 Early Voting 10 am — 2 pm
May	30	1 Early Voting 7 am — 7 pm	2 Early Voting 8 am — 5 pm	3	4	5	6 ★ Election Day 7 am — 7 pm

Early Voting	Election Day	<u>San Marcos</u>	
✓	✓	Broadway (Christus Trinity Clinic)	401 Broadway Street #A
	✓	Dunbar Center	801 Martin Luther King Drive
✓	✓	Hays County Government Center Main Early Voting Site	712 South Stagecoach Trail
✓	✓	LBJ Student Center, Texas State University	601 University Drive
	✓	San Marcos Housing Authority / C.M. Allen Homes	820 Sturgeon Drive

<u>Kyle</u>			
✓	✓	HCISD Central Administration Office — Old Print Shop	21003 Interstate 35 Frontage Road
	✓	Main Office, HCISD Transportation	2385 High Road, Umland
	✓	Wallace Middle School	1500 West Center Street

<u>Buda</u>			
	✓	Hays Hills Baptist Church	1401 North FM 1626
	✓	McCormick Middle School	5700 Dacy Lane
✓		Upper Campus, Buda Elementary School (Kunkel Room, historic school site)	300 North San Marcos Street

<u>Dripping Springs and Austin</u>			
	✓	North Hays County Fire Station #74	2450 Belterra Drive, Austin
	✓	Precinct 4 Office, Hays County	195 Roger Hanks Parkway
✓	✓	The HUB, Headwaters Information Center	708 Headwaters Boulevard



Elección uniforme (jurisdicciones locales) del 6 de mayo de 2023



Ubicaciones de los centros de votación

Principal sitio de votación anticipada: **Hays County Government Center**

Anexo "A"

Jennifer Doinoff, Administradora de Elecciones: (512) 393-7310

abril

mayo

	Domingo	Lunes	Martes	Miércoles	Jueves	Viernes	Sábado
	23	24	25	26	27	28	29
		Votación 7 am — 7 pm	Anticipada 8 am — 5 pm	Votación 8 am — 5 pm	Anticipada 8 am — 5 pm	Votación 8 am — 5 pm	Anticipada 10 am — 2 pm
	30	1	2	3	4	5	6
		Votación 7 am — 7 pm	Anticipada 8 am — 5 pm				★ Día de Elección 7 am — 7 pm

Votación Anticipada	Día de Elección
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San Marcos

✓	✓	Broadway (Christus Trinity Clinic)	401 Broadway Street #A
	✓	Dunbar Center	801 Martin Luther King Drive
✓	✓	Hays County Government Center Principal sitio de votación anticipada	712 South Stagecoach Trail
✓	✓	LBJ Student Center, Texas State University	601 University Drive
	✓	San Marcos Housing Authority / C.M. Allen Homes	820 Sturgeon Drive

Kyle

✓	✓	HCISD Central Administration Office — Old Print Shop	21003 Interstate 35 Frontage Road
	✓	Main Office, HCISD Transportation	2385 High Road, Uhland
	✓	Wallace Middle School	1500 West Center Street

Buda

	✓	Hays Hills Baptist Church	1401 North FM 1626
	✓	McCormick Middle School	5700 Dacy Lane
✓		Upper Campus, Buda Elementary School (Kunkel Room, historic school site)	300 North San Marcos Street

Dripping Springs y Austin

	✓	North Hays County Fire Station #74	2450 Belterra Drive, Austin
	✓	Precinct 4 Office, Hays County	195 Roger Hanks Parkway
✓	✓	The HUB, Headwaters Information Center	708 Headwaters Boulevard

MAY 6, 2023 Uniform Election
MAYO 6, 2023 Eleccion General

NOTICE OF EARLY VOTING AND ELECTION DAY
ANUNCIO DE LA VOTACIÓN ANTICIPADA Y DÍA DE ELECCIÓN

GUADALUPE COUNTY
SAN MARCOS CISD

Main Early Voting Site: **GUADALUPE COUNTY ELECTIONS OFFICE**
Lugar Principal de Votacion Anticipada: GUDADALUPE COUNTY ELECTIONS OFFICE

Guadalupe County Elections Office
 215 S. Milam St., Seguin, TX 78155
 830-303-6363

Early Voting: April 24, 2023 – May 2, 2023
Votación Temprana: abril 24, 2023 – mayo 2, 2023

Election Day: May 6, 2023 - Dia de Eleccion: mayo 6, 2023

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
April	23	24 Early Voting Votacion Temprana 7 am – 7 pm	25 Early Voting Votacion Temprana 8 am – 5 pm	26 Early Voting Votacion Temprana 8 am – 5 pm	27 Early Voting Votacion Temprana 8 am – 5 pm	28 Early Voting Votacion Temprana 8 am – 5 pm	29 Early Voting Votacion Temprana 10 am – 2 pm
	30	1 Early Voting Votacion Temprana 7 am – 7 pm	2 Early Voting Votacion Temprana 8 am – 5 pm	3	4	5	6 ★ Election Day Dia de Eleccion 7 am – 7 pm
May							

Early Voting Votacion Temprana	Election Day Dia de Eleccion	Locations	
✓	✓	St. Joseph's Mission	5093 Redwood Rd. San Marcos, TX 78666
✓	✓	Guadalupe County Elections Office Main Early Voting Site – Lugar Principal de Votacion	215 S. Millan St. Seguin, TX 78155

Mail address for early voting by mail: The address for Guadalupe County Early Voting Clerk's mailing address to which ballot applications and ballots voted by mail is PO Box 1346, Seguin, Texas 78156.

Domicilio Postal para la votación temprana por correo: El domicilio postal del Secretario de Votación Temprana del Condado de Guadalupe a la que las solicitudes de boletas y votación de boletas por correo es PO Box 1346, Seguin, Texas 78156

Emergency and Limited ballots available only at the main location. *(Boletas limitadas y de emergencia solamente están disponibles en este lugar.)*

MAY 6, 2023 Uniform Election
MAYO 6, 2023 Eleccion General

NOTICE OF EARLY VOTING AND ELECTION DAY
ANUNCIO DE LA VOTACIÓN ANTICIPADA Y DÍA DE ELECCIÓN

CALDWELL COUNTY
SAN MARCOS CISD

Main Early Voting Site: **CALDWELL COUNTY ELECTIONS OFFICE**
Lugar Principal de Votacion Anticipada: CALDWELL COUNTY ELECTIONS OFFICE

CALDWELL County Elections Office
1403-A Blackjack St. Lockhart, TX 78644
512-668-4347

Early Voting: April 24, 2023 – May 2, 2023
Votación Temprana: abril 24, 2023 – mayo 2, 2023

Election Day: May 6, 2023 - Dia de Eleccion: mayo 6, 2023

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
April	23	24	25	26	27	28	29
		Early Voting <i>Votacion Temprana</i> 8 am — 5 pm	Early Voting <i>Votacion Temprana</i> 8 am — 5 pm	Early Voting <i>Votacion Temprana</i> 8 am — 5 pm	Early Voting <i>Votacion Temprana</i> 8 am — 5 pm	Early Voting <i>Votacion Temprana</i> 8 am — 5 pm	Early Voting <i>Votacion Temprana</i> 8 am — 5 pm
May	30	1	2	3	4	5	6
		Early Voting <i>Votacion Temprana</i> 7 am — 7 pm	Early Voting <i>Votacion Temprana</i> 7 am — 7 pm				

Early Voting <i>Votacion Temprana</i>	Election Day <i>Dia de Eleccion</i>	<u>LOCATION</u>	
✓	✓	Three Rivers Community Church	103 Main Street Martindale, TX 78655
✓		Scott Annex Building / Caldwell County Elections Office Main Early Voting Site – <i>Lugar Principal de Votacion</i>	1403-A Blackjack St. Lockhart, TX 78644

Mail address for early voting by mail: The address for Caldwell County Early Voting Clerk’s mailing address to which ballot applications and ballots voted by mail is 1403-A Blackjack St. Lockhart, TX 78644

Domicilio Postal para la votación temprana por correo: *El domicilio postal del Secretario de Votación Temprana del Condado de Caldwell a la que las solicitudes de boletas y votación de boletas por correo es 1403-A Blackjack St. Lockhart, TX 78644*

Emergency and Limited ballots available only at the main location. *(Boletas limitadas y de emergencia solamente están disponibles en este lugar.)*