

**ORDER CALLING BOND 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 Austin Community College District (the “District”) has, among others, the power to issue bonds the construction, acquisition, renovation and equipment of community college buildings in the District; and

WHEREAS, the Board has determined that it is in the public interest to call and conduct a bond election at the earliest practicable date to authorize the issuance of general obligation bonds to construct these capital improvements within the District; and

WHEREAS, the Board has determined that November 8, 2022, would constitute an appropriate date for such an election; and

WHEREAS, the Board has authority pursuant to Chapter 31, Texas Election Code, to enter into a contracts for election services with Bastrop, Caldwell, Hays, Lee, Travis, and Williamson Counties, Texas under which the election may be conducted; and

WHEREAS, the Board has authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with other political subdivisions also holding a general or special election on the same date in all or part of the same territory; and

WHEREAS, the Board is authorized under Chapters 42 and 85 of the Texas Election Code to designate dates, times, and location for early voting by personal appearance and on Election Day.

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

**Section 1. Call of Election, Date, Eligible Electors.** A special election (the “Election”) shall be held on Tuesday, November 8, 2022 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this order (the “Order”) within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest.

**Section 2. Conduct of Election, Election Services Agreements, and Appointment of Election Officers.** The Election shall be conducted by election officers, in accordance with the Texas Education Code, the Texas Election Code and the Constitution and laws of the State of Texas and the United States of America. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish. The following systems will be utilized for the Election:

<u>County</u>	<u>System</u>
Travis	ES&S ExpressVote Universal Voting System DS200 Digital Precinct Scanner
Hays	Hart Verity Duo

Caldwell	ES&S
Bastrop	ES&S EVS 6110
Lee	ES&S EXPRESSVOTE ES&S EXPRESSTOUCH, DS200
Williamson	ES&S EVS 6.1.1.0 With ES&S Express Vote Ballot Marking Devices ES&S DS200 Precinct Scanners and ES&S DS850 Central County 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.

**Section 3.** **Proposition.** At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the “Proposition”):

AUSTIN COMMUNITY COLLEGE DISTRICT PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE AUSTIN COMMUNITY COLLEGE DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT IN ONE OR MORE SERIES OF INSTALLMENTS IN THE AMOUNT OF \$770,000,000.00 FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, RENOVATING, AND EQUIPPING COLLEGE BUILDINGS DISTRICTWIDE FOR WORKFORCE TRAINING AND GENERAL EDUCATION PROGRAMS WHICH WILL INCLUDE, BUT NOT BE LIMITED TO NURSING, ADVANCED MANUFACTURING, SKILLED TRADES, AND INFORMATION TECHNOLOGY, AND FOR STUDENT SUPPORT SERVICES SUCH AS ONSITE CHILD CARE AND STUDENT HEALTH SERVICES, AND FOR THE MODERNIZATION OF TECHNOLOGY, AND WITH SUCH CONSTRUCTION, IMPROVEMENT, RENOVATION, AND EQUIPPING OF COLLEGE BUILDINGS TO INCLUDE, BUT NOT BE LIMITED TO: (1) CONSTRUCTION OF A NEW CAMPUS AT THE PINNACLE SITE IN SOUTHWEST AUSTIN FOR INSTRUCTIONAL PROGRAMS INCLUDING SOFTWARE DEVELOPMENT AND HEALTHCARE; (2) CONSTRUCTION OF A NEW CAMPUS AT THE SOUTHEAST TRAVIS COUNTY SITE FOR INSTRUCTIONAL PROGRAMS INCLUDING SKILLED TRADES, SUCH AS WELDING AND AUTOMOTIVE TECHNOLOGY, AND ADVANCED MANUFACTURING; (3) EXPANSION OF THE HAYS CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING NURSING AND HEALTHCARE; (4) EXPANSION OF THE HIGHLAND CAMPUS IN CENTRAL AUSTIN FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING, CYBERSECURITY, AND SOFTWARE DEVELOPMENT; (5) EXPANSION OF THE ROUND ROCK CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING NURSING, ADVANCED MANUFACTURING, AND SKILLED TRADES SUCH AS WELDING AND AUTOMOTIVE TECHNOLOGY; (6) EXPANSION OF THE

CYPRESS CREEK CAMPUS IN CEDAR PARK FOR INSTRUCTIONAL PROGRAMS INCLUDING CYBERSECURITY AND SOFTWARE DEVELOPMENT; (7) EXPANSION OF THE DOWNTOWN AUSTIN RIO GRANDE CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING COMPUTER SCIENCE AND CYBERSECURITY; (8) EXPANSION OF THE ELGIN CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING AND SKILLED TRADES SUCH AS WELDING; (9) EXPANSION OF THE SAN GABRIEL CAMPUS IN LEANDER FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING AND SKILLED TRADES SUCH AS WELDING; AND (10) TECHNOLOGY AND FACILITY IMPROVEMENTS AT VARIOUS CAMPUSES INCLUDING BUT NOT LIMITED TO RIVERSIDE, NORTHRIDGE, SOUTH AUSTIN, AND EASTVIEW; AND TO PAY THE COSTS OF ISSUING THOSE BONDS, WHICH BONDS MAY BE ISSUED IN VARIOUS SERIES OR ISSUES, MAY BE SOLD AT ANY PRICE OR PRICES, SHALL MATURE SERIALLY OR OTHERWISE NOT MORE THAN FORTY (40) YEARS FROM THEIR DATE OR DATES AND BEAR INTEREST AT SUCH RATE OR RATES (FIXED, VARIABLE, FLOATING, ADJUSTABLE OR OTHERWISE) AS SHALL BE DETERMINED BY THE BOARD WITHIN ITS DISCRETION AT THE TIME OF ISSUANCE, BUT NOT TO EXCEED THE MAXIMUM RATE NOW OR HEREAFTER AUTHORIZED BY LAW; AND SHALL THE BOARD BE AUTHORIZED TO LEVEY AND PLEDGE, AND CAUSE TO BE ASSESSED AND COLLECTED, ANNUAL AD VALOREM TAXES ON ALL TAXABLE PROPERTY IN THE DISTRICT SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THEY BECOME DUE AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED IN CONNECTION WITH THE BONDS, PROVIDED HOWEVER THAT SAID BOND TAX SHALL NEVER EXCEED FIFTY CENTS (\$0.50) ON EACH ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION OF TAXABLE PROPERTY IN THE DISTRICT, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING THE TEXAS EDUCATION CODE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO, AND OF THE UNITED STATES OF AMERICA?

**Section 4. Ballots.** The ballots shall conform to the requirements of the Texas Election Code, and shall permit voters to vote “FOR” or “AGAINST” the aforesaid measure which shall appear on the ballot substantially as follows:

**OFFICIAL BALLOT**

**AUSTIN COMMUNITY COLLEGE DISTRICT PROPOSITION A**

[ ] FOR

THE ISSUANCE OF \$770,000,000.00 BONDS FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, RENOVATING, AND EQUIPPING COLLEGE BUILDINGS DISTRICTWIDE FOR WORKFORCE TRAINING AND GENERAL EDUCATION PROGRAMS WHICH WILL INCLUDE, BUT NOT BE LIMITED TO NURSING, ADVANCED MANUFACTURING,

SKILLED TRADES, AND INFORMATION TECHNOLOGY, AND FOR STUDENT SUPPORT SERVICES SUCH AS ONSITE CHILD CARE AND STUDENT HEALTH SERVICES, AND FOR THE MODERNIZATION OF TECHNOLOGY, AND WITH SUCH CONSTRUCTION, IMPROVEMENT, RENOVATION, AND EQUIPPING OF COLLEGE BUILDINGS TO INCLUDE, BUT NOT BE LIMITED TO: (1) CONSTRUCTION OF A NEW CAMPUS AT THE PINNACLE SITE IN SOUTHWEST AUSTIN FOR INSTRUCTIONAL PROGRAMS INCLUDING SOFTWARE DEVELOPMENT AND HEALTHCARE; (2) CONSTRUCTION OF A NEW CAMPUS AT THE SOUTHEAST TRAVIS COUNTY SITE FOR INSTRUCTIONAL PROGRAMS INCLUDING SKILLED TRADES, SUCH AS WELDING AND AUTOMOTIVE TECHNOLOGY, AND ADVANCED MANUFACTURING; (3) EXPANSION OF THE HAYS CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING NURSING AND HEALTHCARE; (4) EXPANSION OF THE HIGHLAND CAMPUS IN CENTRAL AUSTIN FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING, CYBERSECURITY, AND SOFTWARE DEVELOPMENT; (5) EXPANSION OF THE ROUND ROCK CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING NURSING, ADVANCED MANUFACTURING, AND SKILLED TRADES SUCH AS WELDING AND AUTOMOTIVE TECHNOLOGY; (6) EXPANSION OF THE CYPRESS CREEK CAMPUS IN CEDAR PARK FOR INSTRUCTIONAL PROGRAMS INCLUDING CYBERSECURITY AND SOFTWARE DEVELOPMENT; (7) EXPANSION OF THE DOWNTOWN AUSTIN RIO GRANDE CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING COMPUTER SCIENCE AND CYBERSECURITY; (8) EXPANSION OF THE ELGIN CAMPUS FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING AND SKILLED TRADES SUCH AS WELDING; (9) EXPANSION OF THE SAN GABRIEL CAMPUS IN LEANDER FOR INSTRUCTIONAL PROGRAMS INCLUDING ADVANCED MANUFACTURING AND SKILLED TRADES SUCH AS WELDING; AND (10) TECHNOLOGY AND FACILITY IMPROVEMENTS AT VARIOUS CAMPUSES INCLUDING BUT NOT LIMITED TO RIVERSIDE, NORTHRIDGE, SOUTH AUSTIN, AND EASTVIEW; AND THE LEVYING OF THE TAX IN PAYMENT THEREOF.

[ ] AGAINST

**Section 5. Voting Precincts, Voting Locations, Election Officers.** 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 Election. The precinct numbers for ACC's election precincts shall be the corresponding Bastrop, Caldwell, Hays, Lee, Travis and Williamson County 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 locations, as well as the times and dates for early voting and election day voting locations are attached as Exhibit A which is incorporated by reference herein for all purposes. Exhibit A may be modified to include additional or different voting locations.

To the extent any polling place utilized by the District and designated by the Board for the conduct of the Election is located outside the boundaries of a District election precinct, the Board, pursuant to Section 271.003 of the Texas Election Code, finds that such polling place can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the Election. In the event that any County Clerk or Elections Administrator shall determine that the polling places hereby established and designated for each County shall become unavailable or unsuitable for such use, or if the District determines that it would be in its best interest to relocate the polling place, the effected County Clerk or Elections Administrator is hereby authorized to designate, in writing, substitute polling places, giving such notice as is required by the Texas Election Code.

The Board approves the appointment of persons designated by each County Clerk or Elections Administrator to serve as election workers in their County. Such proposed presiding judges and alternate judges shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges and clerks of the election shall be determined according to the Election Services Agreement. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the “Election Code”) and other applicable laws. The Board also approves the appointment of persons designated by each County Clerk or Elections Administrator to serve as Deputy Early Voting Clerks, on the Early Voting Ballot Board, and Central Counting Station in their County, as applicable.

**Section 6. Early Voting.** The Board appoints Alicia del Rio as the Early Voting Clerk for the District. The Early Voting Clerk shall collect any applications for ballot by mail received at the District offices and forward those applications to the correct County election official.

Early Voting by Mail

Ballot applications shall be addressed to the Joint Early Voting Clerks as follows:

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: <a href="mailto:elections@co.bastrop.tx.us">elections@co.bastrop.tx.us</a> Website: <a href="https://www.bastropvotes.org/">https://www.bastropvotes.org/</a>
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: <a href="mailto:caldwellec@co.caldwell.tx.us">caldwellec@co.caldwell.tx.us</a> Website: <a href="https://www.co.caldwell.tx.us/page/caldwell.ElectionsOffice">https://www.co.caldwell.tx.us/page/caldwell.ElectionsOffice</a>
Hays	Jennifer Doinoff ACC Early Voting Clerk -Trustee Election 712 South Stagecoach Trail, Ste. 1012 San Marcos, TX 78666 Phone: 512-383-7310 Email: <a href="mailto:elections@co.hays.tx.us">elections@co.hays.tx.us</a> Website: <a href="https://hayscountytexas.com/departments/elections/">https://hayscountytexas.com/departments/elections/</a>
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: <a href="mailto:teresa.shed@co.lee.tx.us">teresa.shed@co.lee.tx.us</a> Website: <a href="https://www.co.lee.tx.us/page/lee.Elections">https://www.co.lee.tx.us/page/lee.Elections</a>
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: <a href="mailto:elections@traviscountytexas.gov">elections@traviscountytexas.gov</a> Website: <a href="https://countyclerk.traviscountytexas.gov/departments/elections/">https://countyclerk.traviscountytexas.gov/departments/elections/</a>
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: <a href="mailto:cjdavis@wilco.org">cjdavis@wilco.org</a> Website: <a href="https://www.wilco.org/Departments/Elections">https://www.wilco.org/Departments/Elections</a>

An application for ballot by mail may be faxed or emailed to a voter’s corresponding County election official, but a signed original of the application must be received within 4 days of submission. The period to apply for a ballot by mail is January 1, 2022, through October 28, 2022. The application must be received by October 28, 2022 (mere postmarking by the deadline is insufficient).

For the use of those voters who are entitled by law to vote early by mail, the joint early voting clerks shall provide each voter with a ballot with instructions to mark the ballot indicating their vote “FOR” or “AGAINST” the Proposition on the same ballots utilized for early voting by personal appearance at the Election.

#### Early Voting by Personal Appearance

Early voting by personal appearance shall be conducted beginning October 24, 2022 and ending November 4, 2022. The main early voting location is designated in Exhibit A to this Order. Additionally, permanent and/or temporary branch early voting locations may be established and maintained in accordance with the Texas Election Code. Information regarding the locations,

dates, and hours of operation for early voting at these locations shall be determined by each County Clerk or Elections Administrator, as identified in Exhibit A hereto. Exhibit A may be modified to include additional or different early voting locations.

**Section 7. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results.** In accordance with the requirements of the Texas Election Code, the Election Officers shall make and deliver 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 Election.

**Section 8. 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 Elections 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 Election as required under the Texas Election Code during the period beginning the third (3rd) day after the Election is ordered and ending not earlier than the fortieth (40th) day after the day of the Election.

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, or if they are electronic records, in a secure container, for the period of preservation required by the Election Code.

In the event that the Board's Agent shall determine from time to time that (a) the voting locations 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 voting locations, 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 9. Notice of Election Publication and Posting Requirements.**

*Publication of Notice of Election*

Notice of the Election, containing a substantial copy of this Order, shall be published one time in the English and Spanish languages, in a newspaper published within the District's territory

at least ten (10) days and no more than thirty (30) days before the Election and as otherwise may be required by the Texas Election Code. Moreover, Notice of the Election, containing a substantial copy of this Order, in both the English and Spanish languages, shall also be posted (i) on the notice board used by the Board to post notices of the Board's meetings, (ii) at three (3) other public places within the District, and (iii) on the District's Internet website, prominently and together with the notice of the election, voter information document, sample ballot, and contents of the Proposition, no later than the twenty-first (21<sup>st</sup>) day before the Election. Additionally, the Board President and the Agent to the Board Secretary, in consultation with bond counsel, are hereby authorized and directed to provide any other manner of notice as authorized by law. A copy of this Order, and the voter information document, in both the English and Spanish languages, shall be posted in a prominent location at each early voting location and at each voting location on Election Day.

**Section 10. Debt Service and Tax Rate Information of the District.**

The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code:

- (a) The Proposition language that will appear on the ballot is set forth in Section 3 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Sections 3 and 4 hereof.
- (c) The principal amount of the debt obligations to be authorized is \$770,000,000.00
- (d) Taxes sufficient to pay the annual principal of and interest on the bonds may be imposed.
- (e) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed forty (40) years from the date of issuance of each series of bonds.
- (f) The District's outstanding aggregate ad valorem tax-supported principal amount of debt as of the date of this Order is \$414,210,000.
- (g) The aggregate amount of the interest owed on such District debt obligations, through respective maturity as of the date of this Order is \$198,337,015.
- (h) The District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.01048 per \$100 of taxable assessed valuation.
- (i) The District intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Board based upon a number of factors, including, but not limited to, the then current needs of the District, demographic changes, prevailing market conditions, assessed valuations in the District and management of the District's short-term and long-term interest rate exposure. Market conditions, demographics, and assessed valuations vary based upon a number of factors beyond the District's control, and therefore, the District cannot and does not guarantee a particular interest rate or tax



rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The District currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the District's current estimated project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds shall be authorized in the maximum respective amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the Board to be in the District's best interests. District staff shall prepare a voter information document and post such document in accordance with Section 1251.052 of the Texas Government Code.

**Section 11. 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 ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Board President and his designees are hereby authorized to complete and update, as necessary, the exhibit attached hereto with voting locations and other information as same is made available by each County Clerk or Elections Administrator.

**Section 12. 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 13. 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 14. 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 15. 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 16. Notice of Meeting.** It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 17. 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 18.** **Effective Date.** This Order is effective immediately upon its passage and approval.

*[Remainder of page intentionally left blank.]*

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
President, Board of Trustees

ATTEST:

\_\_\_\_\_  
Secretary, Board of Trustees

(SEAL)

EXHIBIT A

EARLY VOTING DATES, TIMES, AND LOCATIONS  
AND ELECTION DAY VOTING LOCATIONS

Election Day: November 8, 2022

Election Day Voting Locations open from 7a.m. to 7 p.m.

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read "Richard M. Rhodes". The signature is fluid and cursive, with the first name "Richard" being the most prominent part.

Dr. Richard Rhodes  
Chancellor

**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: <a href="mailto:elections@co.bastrop.tx.us">elections@co.bastrop.tx.us</a> Website: <a href="https://www.bastropvotes.org/">https://www.bastropvotes.org/</a>
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: <a href="mailto:caldwellec@co.caldwell.tx.us">caldwellec@co.caldwell.tx.us</a> Website: <a href="https://www.co.caldwell.tx.us/page/caldwell.ElectionsOffice">https://www.co.caldwell.tx.us/page/caldwell.ElectionsOffice</a>
Hays	Jennifer Doinoff ACC Early Voting Clerk -Trustee Election 712 South Stagecoach Trail, Ste. 1012 San Marcos, TX 78666 Phone: 512-383-7310 Email: <a href="mailto:elections@co.hays.tx.us">elections@co.hays.tx.us</a> Website: <a href="https://hayscountytexas.com/departments/elections/">https://hayscountytexas.com/departments/elections/</a>
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: <a href="mailto:teresa.shed@co.lee.tx.us">teresa.shed@co.lee.tx.us</a> Website: <a href="https://www.co.lee.tx.us/page/lee.Elections">https://www.co.lee.tx.us/page/lee.Elections</a>
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: <a href="mailto:elections@traviscountytexas.gov">elections@traviscountytexas.gov</a> Website: <a href="https://countyclerk.traviscountytexas.gov/departments/elections/">https://countyclerk.traviscountytexas.gov/departments/elections/</a>
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: <a href="mailto:cjdavis@wilco.org">cjdavis@wilco.org</a> Website: <a href="https://www.wilco.org/Departments/Elections">https://www.wilco.org/Departments/Elections</a>



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.

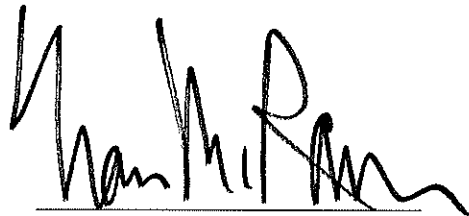
**Section 13. Severability.** If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares 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.

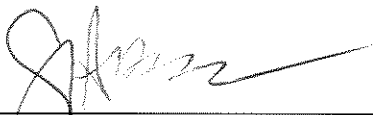
**Section 16. Effective Date.** This Order is effective immediately upon its passage and approval.

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 ]