

Date: August 16, 2022

Agenda Item: XI - C. DISCUSSION AND POSSIBLE ACTION TO CONSIDER APPROVAL OF AN ORDER CALLING FOR THE NOVEMBER 8, 2022 WESLACO INDEPENDENT SCHOOL DISTRICT SCHOOL BOARD ELECTION

Superintendent's Recommendation:

The Superintendent recommends that the Board of Trustees approve an Order for the Weslaco Independent School District School Board Election to be held on Tuesday, November 8, 2022, for the purpose of electing four (4) members of the Board of Trustees of the Weslaco Independent School District.

Rationale:

Weslaco ISD and the City of Weslaco have contracted elections services with the Hidalgo County Elections Administration for the last six elections, pursuant to Texas Election Code Section 31.0092. The last day for all political subdivisions to order an election to be held on the date of the November General Election for state and county officers is Monday, August 22, 2022.

This year we have four (4) places up for election:

- Place 4: Office held by Dr. Jaime Rodriguez
- Place 5: Office held by Andrew Gonzalez
- Place 6: Office held by Armando Cuellar
- Place 7: Office held by Isidoro Nieto

An agreement to approve election services with Hidalgo County to conduct our election will be brought to the Board for approval at a future Board Meeting, as well as the Interlocal Agreement to share joint election expenses between the City of Weslaco and Weslaco ISD.

The school attorney has reviewed and approved the Election Order.

Paperwork Impact: Minimal

Budgetary Information:

The cost of the Weslaco Independent School District Trustee election has been budgeted in the 2022-2023 budget.

Resource Personnel:


Dr. Dino Coronado, Superintendent
Abel Aguilar, Deputy Superintendent

Board Policy Reference and Compliance:


BBB (Local): Board Members – Elections
Section BAA (Legal) – Board Powers and Duties
Section BBE (Local) – Board Authority

Exhibit:

Information is attached as Exhibit _____, page (s) _____.

Prepared by: Abel Aguilar, Deputy Superintendent 

Within Budgetary Allocation: Yes

Recommended by:

Dr. Dino Coronado, Superintendent

WESLACO INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

STATE OF TEXAS	§	ORDER AND NOTICE
	§	OF
COUNTY OF HIDALGO	§	GENERAL ELECTION

WHEREAS, the Board of Trustees (the "Board") of the Weslaco Independent School District ("WISD") has the authority to call a General Election on November 8, 2022, for four (4) trustees to serve for a term of four (4) years in positions where the terms of the existing trustees in Places Four (4), Five (5), Six (6) and Seven (7) are expiring in November 2022; and

WHEREAS, the Board is required and authorized to approve early voting locations, dates and times; and

WHEREAS, the Board is required and authorized to approve election day polling places; and

WHEREAS, the Board also has the authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with other governing entities, which are political subdivisions also holding a general election 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 Hidalgo County.

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE WESLACO INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Call of Elections, Date, Eligible Electors, and Hours. A General Election shall be held on Tuesday, November 8, 2022, which is eighty-five (85) or more days from the date of the adoption of this order (the "Order") within the entire territory of WISD for trustee positions Place Four, Place Five, Place Six, and Place Seven expiring in November 2022. All residents, qualified electors of WISD shall be entitled to vote for candidates for the trustee positions at issue. The Board hereby finds that holding the General Election ("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 at the Election shall be from 7 a.m. to 7 p.m.

Section 2. Conduct of Election, Joint Election Agreement, Election Services Contract and Appointment of Election Officers. The Election shall be conducted by election officers, in accordance with the Texas Education Code, Texas Election Code, the Constitution and laws of the State of Texas and the United States of America. A paper ballot shall be utilized for the early voting by mail process of the Election. An electronic voting system, as defined and described in Title 8 of the Texas Election Code, will be utilized for early voting by personal appearance and on election day.

Pursuant to Chapter 271 of the Texas Election Code, the Board orders that the Election be conducted under the terms and conditions of the Agreement to Conduct Joint Elections between other participating subdivisions holding elections on November 8, 2022. Chapter 271 provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Board is expressly authorizing this action. This agreement will be approved by the Board at a subsequent meeting.

Pursuant to Chapter 31 of the Texas Election Code, the Board orders that the District enter into an Election Services Contract with the Hidalgo County Election Administrator for performing election services for early voting and election day. The contract is being developed by the Hidalgo County Election Administrator and will be approved by the Board at a subsequent meeting.

The Board approves the appointment of persons designated by the County Election Administrator to serve as the Presiding Election Judge and Alternate Presiding Election Judge for each respective voting precinct for the Election.

Section 3. Voting Precincts. Except as otherwise provided herein, the presently existing boundaries and territory of the respective Hidalgo County Election Precincts that are wholly or partially within the territorial boundaries of WISD are hereby designated as the voting precincts of WISD for the Election. The precinct numbers for WISD's election precincts shall be the corresponding Hidalgo County Election Precinct Number for each precinct. The Weslaco Independent School District consists of the following voting precincts, and any other determined by the Hidalgo County Elections Department:

Precinct 2	Precinct 21	Precinct 22	Precinct 40	Precinct 41
Precinct 42	Precinct 46	Precinct 57	Precinct 58	Precinct 70
Precinct 71	Precinct 110	Precinct 111	Precinct 112	Precinct 113
Precinct 114	Precinct 121	Precinct 132	Precinct 179	Precinct 186
Precinct 190	Precinct 191	Precinct 196	Precinct 202	Precinct 250

Section 4. Election Day Polling Places. The following locations shall be designated as polling places on Tuesday, November 8, 2022, from 7:00 a.m. to 7:00 p.m., for the following precincts (unless decided otherwise by the County of Hidalgo, which has authority to designate any location within Hidalgo County as a polling location):

Precincts	Location
22, 40, 42, 112, 132, 186, 191 & 196	Weslaco Business Visitor & Events Center, 275 S. Kansas, Weslaco, Texas
2, 71, 111, 113, 114 & 121	Stephen F. Austin Complex, 514 W. Fourth St., Weslaco, Texas
21, 41, 57, 58 110, 190 & 250	Mary Hoge Middle School, 2302 North International, Weslaco, Texas
179	Edcouch Fire Station, 201 W. Santa Rosa Ave., Edcouch, Texas
70	Elsa Fire Station, 216 E. 4 th St., Elsa, Texas
46	Zachary Taylor Elementary School, 900 N. Missouri, Mercedes, Texas
202	Mercedes Early Childhood, 950 W. 6 th , Mercedes, Texas

Section 5. Early Voting. The Board appoints Yvonne Ramon, the Hidalgo County Elections Administrator, as WISD's Joint and Regular Early Voting Clerk. Early voting by personal appearance shall be conducted at the dates, times, and locations at the following:

Early Voting Polling Place: **Weslaco Business Visitor and Events Center, 275 S. Kansas, Weslaco, Texas**

And

Each Voting and Polling location in Hidalgo County, Texas at which County-Wide Voting is administered by the Hidalgo County Elections Department.

Dates and Times: **Open on Monday, October 24, 2022 through Friday, October 28, 2022 between 7:00 a.m. to 7:00 p.m.**

Open Saturday, October 29, 2022 between 7:00 a.m. to 7:00 p.m.

Open Sunday, October 30, 2022 between 10:00 a.m. to 4:00 p.m.

Open on Monday, October 31, 2022 through Tuesday, November 1, 2022 between 7:00 a.m. to 7:00 p.m.

Early Voting Ballot Board

The Board hereby approves the appointment of the presiding judge of the early voting ballot board as designated by Ms. Yvonne Ramon to count and return early voting ballots in accordance with the Election Code. The presiding judge shall appoint two or more election clerks, and such judge and clerks shall constitute the early voting ballot board and shall perform the duties set forth for such board in the Election Code.

Early Voting by Mail

Ballot applications shall be addressed to WISD's Regular Early Voting Clerk at the address indicated immediately below.

Early Voting Clerk, Election Department
P.O. Box 659
Edinburg, Texas 78540

Section 6. Appointment of Custodian of Records. To the extent not otherwise provided for in the Election Services Agreement, the Board appoints Rosemary Rodriguez, an employee of WISD, as the Custodian of Records ("Custodian") 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 fiftieth (50th) day before 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 the district.

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 designated in this section. 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 WISD that are required by the Texas Election Code.

Section 7. Appointment of Agent. The Secretary to the Board has appointed Abel Aguilar as the Secretary's agent ("Agent") to perform the duties of secretary related to the conduct and maintenance of records of the Election as required under the Texas Election Code, Section 31.123 during the period beginning the fiftieth (50th) day before election day and ending not earlier than the fortieth (40th) day after the day of the election. Mr. Abel Aguilar is authorized to designate staff in the District to perform any or all of the various responsibilities of the Board's Agent.

The Agent 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 designated in this section. The Agent shall maintain the documents, records and other items relating to the election and shall be the Agent designated to receive documents on behalf of the District that are required by the Texas Election Code.

The Agent shall post notice of the location and hours of the office as required by the Texas Election Code.

Section 8. Delivery of Voted Ballots; Counting. In accordance with the requirements of the Texas Election Code, after the close of voting on election day, the presiding election judges for each respective precinct shall deliver the ballot boxes for their respective precinct to the Central Counting Station. The early voting ballot board, at a time and in the manner permitted under the Texas Election Code, shall deliver the early voting ballots to the Central Counting Station.

Section 9. Canvassing of Returns: Declaring Results. The Election Officer, Yvonne Ramon, the Hidalgo County Elections Administrator, as WISD's designated election officer under the Election Contract, shall make a written return of the Elections results to WISD in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

Pursuant to §11.057(b) of the Texas Education Code, the candidates receiving the highest number of votes shall fill the positions of the terms which are expiring.

Section 10. 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 WISD'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. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings no later than the 21st day before the Election.

Section 11. 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 language and the 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 12. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers shall be held as arranged or contracted by the Election Officer.

Section 13. 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 14. Effective Date. This Order is effective immediately upon its passage and approval.

PASSED AND APPROVED this 16 day of August, 2022.



WESLACO INDEPENDENT SCHOOL DISTRICT

BY: Armando Cuellar
Armando Cuellar, President
BOARD OF TRUSTEES

ATTEST:

BY: Jesse Trevino
Jesse Trevino, Secretary
BOARD OF TRUSTEES

APPROVED AS TO FORM:

Eloy Sepulveda
Eloy Sepulveda
GENERAL COUNSEL