

**The Lockhart Independent School District  
Board of Trustees**

**M.L. Cisneros Education Support Center Boardroom, 2nd Floor, Room 200, 419 Bois D'Arc Street,  
Lockhart, TX 78644  
Special, August 17, 2020 – 6:30 PM**

Notice is hereby given that on August 17, 2020, the Board of Trustees of the Lockhart Independent School District will hold a Special meeting at 6:30 PM in the M.L. Cisneros Education Support Center Boardroom, 2nd Floor, Room 200, 419 Bois D'Arc Street, Lockhart, TX 78644. The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice.

1. Call to Order
2. Public Comment
3. COMMUNICATION/ACTION:
  - A. Leading Forward Update
  - B. Consider and/or Approve Contract for Election Services Between Caldwell County and Lockhart ISD for November 3, 2020 General Election
  - C. Consider and /or Approve Order Calling General Election to be held November 3, 2020 for District #1, #2, #3 and #4 Positions
4. CLOSED SESSION:
  - A. Adjourn to Closed Session Pursuant to Texas Government Code Section 551.074, (Personnel, to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee) specifically to discuss:
    1. Superintendent's Year-End Performance Evaluation
    2. Superintendent's Contract
5. ADJOURNMENT

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting. [See BEC(LEGAL)]

Texas Government Code Section:

551.071	Consultation with Attorney; Closed Meeting
551.072	Deliberation Regarding Real Property; Closed Meeting
551.073	Deliberation Regarding Prospective Gift; Closed Meeting
551.074	Personnel Matters; Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee; Closed Meeting
551.075	Conference Relating to Investments and Potential Investments Attended by Board of Trustees of Texas Growth Fund; Closed Meeting
551.076	Deliberation Regarding Security Devices; Closed Meeting
551.082	School Children; School District Employees; Disciplinary Matter or Complaint
551.083	Certain School Boards; Closed Meeting Regarding Consultation with Representative of Employee Group
551.084	Investigation; Exclusion of Witness from Hearing

Should any final action, final decision, or final vote be required in the opinion of the School Board with regard to any matter considered in such closed or executive meeting or session, then the final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or,
- (b) at a subsequent public meeting of the School Board upon notice thereof; as the School Board shall determine.

On this day of Friday, August 14, 2020, this Notice was mailed or faxed to news media who had previously requested such Notice and an original copy was posted on the display window in the School District Administration Building on said date.



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Superintendent

# Lockhart Independent School District Board of Trustees

Date of Board Meeting:

Agenda Item

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AGENDA SECTION:

READING:

PREVIOUS BOARD REVIEW DATE:

TYPE OF ACTION

DEPARTMENT:

DISTRICT GOAL(S) ALIGNMENT:

1. Create a collaborative culture of contagious ambition.
2. Expect all staff to embrace growth opportunities.
3. Empower students to seize opportunities to achieve at high levels.

AGENDA TITLE:

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BACKGROUND INFORMATION:

ATTACHMENT(S):

RECOMMENDATION:

RECOMMENDED MOTION:

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STATE OF TEXAS §

COUNTY OF

CALDWELL §

## CONTRACT FOR ELECTION SERVICES

### KNOW ALL PERSONS BY THESE PRESENTS:

THIS **CONTRACT**, made this 21 day of July, **2020**, by and between the Lockhart Independent School District, a political subdivision located in Caldwell County, Texas, and the Caldwell County Elections Administrator, (the "OFFICER"). The Lockhart Independent School District and the OFFICER are sometimes hereinafter collectively referred to as the "Parties".

#### WITNESSETH:

WHEREAS, the OFFICER and the Lockhart Independent School District, both of which are situated in Caldwell County, Texas, are authorized to execute this Contract pursuant to the provisions of the Texas Election Code, Chapter 31, Subchapter D, for the conduct and supervision of the Lockhart Independent School District General Election to be held on **November 3, 2020**; and

WHEREAS, the Lockhart Independent School District and the OFFICER have determined that it is in the public interest of the inhabitants of the Lockhart Independent School District that the following contract be made and entered into for the purpose of having the OFFICER furnish to the Lockhart Independent School District certain election services and equipment needed for the Lockhart Independent School District election.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the Parties hereby contract, covenant and agree as follows:

**Article 1. OFFICER'S DUTIES AND SERVICES.** The OFFICER agrees to undertake certain responsibilities and perform the following services for the Lockhart Independent School District in connection with the General Election to be held on **November 3, 2020** (the "Election"):

1. Recruit and appoint qualified persons to serve as presiding election judges, alternate judges and train the judges and clerks, and arrange for the use of polling places.
2. Procure and distribute election supplies, including preparation, printing and distribution of ballots.

3. Compile lists of eligible registered voters to be used in conducting the Election, including lists for early voting and for each precinct established for the Election.
4. Procure, prepare, and distribute election equipment, transport equipment to and from the polling places, and issue election supplies to the precinct judges.
5. Supervise the conduct of early voting by personal appearance and by mail, and supply personnel to serve as deputy early voting clerks.
6. Assist in providing general overall supervision of the Election and provide advisory services in connection with the decisions to be made and actions to be taken by officers of the Lockhart Independent School District who are responsible for holding the Election.
7. Other incidental related services as may be necessary to effectuate the Election.
8. Remit to the Lockhart Independent School District a detailed listing of expenses incurred to conduct the Election for payment within the time period set forth in Article 4. (Cost of Services).

**NOTHING IN THIS AGREEMENT IS INTENDED TO LIMIT THE DISCRETION OF THE OFFICER IN THE EXECUTION OF HER DUTIES. IT IS FOR THE OFFICER, IN THE EXERCISE OF REASONABLE DISCRETION, TO DETERMINE HOW THE EFFORTS OF HER OFFICE SHOULD BE ALLOCATED THROUGHOUT THE COUNTY.**

**Article 2. LOCKHART INDEPENDENT SCHOOL DISTRICT DUTIES AND SERVICES.** The Lockhart Independent School District agrees to perform the following duties:

1. Prepare and adopt all orders and resolutions necessary to conduct the election.
2. Prepare and publish all required election notices.
3. Deliver to the OFFICER as soon as possible, but not later than legally required before the Election, the ballot language including the list of candidates, or any measures that are to be printed on the ballot with the exact form, wording and spelling that is to be used.
4. Provide the services necessary to translate any election documents into Spanish.
5. Pay any additional costs incurred by the OFFICER if a recount for said Election is required, or the election is contested in any manner.
6. Provide technical assistance requested by the OFFICER.

**Article 3. ADMINISTRATION.** The OFFICER will be responsible for administering this Agreement and providing supervisory control and command over all agents, officers, and other personnel performing services pursuant to this Agreement. The

contact person and representative for the Elections Office is the OFFICER, or her designee, and the contact person and representative for Lockhart Independent School District is **Kimberly Brents, Deputy Superintendent.**

**Article 4. COST OF SERVICES.** Lockhart Independent School District shall reimburse the OFFICER expenses for the **2020** Lockhart Independent School District General election at a percentage that is dependent upon the number of entities participating in the **November 3, 2020** Election. The costs/percentage shall be equally prorated between the participating entities. In addition, Lockhart Independent School District shall pay an administrative fee of 10% of the total cost of the election. An itemized list of estimated elections expenses is attached as Exhibit "A" and incorporated by reference for all purposes. A runoff election shall be treated as a separate election. Within 20 days of the completion of the election, the OFFICER shall submit a statement to Lockhart Independent School District listing all of the expenses and the administrative fee. Lockhart Independent School District shall pay the total amount within 45 days of receiving the statement of expenses.

**Article 5. LIABILITY.** Lockhart Independent School District shall be responsible for any actual expenses for repairs for any damage that occurs to the DRE machines by Lockhart Independent School District to the extent that any such repairs are not covered under the vendor's warranty. Lockhart Independent School District shall not be liable for any damage to a DRE machine that is caused by a third party outside of the control of Lockhart Independent School District.

**Article 6. GENERAL CONDITIONS.** The following general conditions shall apply:

1. Nothing contained in this contract shall authorize or permit a change in the office with whom or the place at which any document or record relating to the election is to be filed, or place at which any function of the canvass of the election returns is to be performed, or the OFFICER to serve as custodian of voted ballots or other election records.
2. The OFFICER may assign deputies to perform any of the contracted services.
3. The OFFICER may contract with third persons for Election services and supplies; and the OFFICER will pay the claims for those election expenses, and shall remain responsible for the supervision and conduct of such third parties.
4. This contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Caldwell County, Texas.
5. In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

6. No amendment, modification, or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereof.

**Article 7. MISCELLANEOUS.** Nothing in this Agreement shall be deemed to waive, modify or amend any legal defenses available at law or in equity to the County, Lockhart Independent School District or the OFFICER, or to create any legal rights or claim on behalf of any third party. Neither the County, Lockhart Independent School District, nor the OFFICER waives any defenses whatsoever, including, but not limited to, governmental immunity.

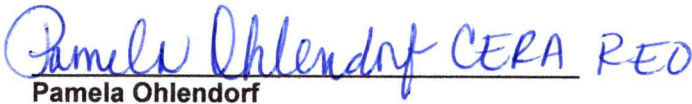
**Article 8. NOTICE.** Any notice provided for under this Agreement shall be forwarded to the following addresses:

**Caldwell County Elections Administrator  
1403 Blackjack St. Suite C  
Lockhart, TX 78644**

**Lockhart Independent School District  
Kimberly Brents  
419 Bois D'Arc Street  
Lockhart, TX 78644**

**CALDWELL COUNTY ELECTIONS ADMINISTRATOR**

SIGNED AND AGREED UPON THIS THE 21 DAY OF July, 2020.

  
**Pamela Ohlendorf**

**LOCKHART INDEPENDENT SCHOOL DISTRICT**

SIGNED AND AGREED UPON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
**Kim Brents, Deputy Superintendent**

# Lockhart Independent School District Board of Trustees

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Agenda Item

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ATTACHMENT(S):

RECOMMENDATION:

RECOMMENDED MOTION:

# LOCKHART ISD

## ORDER OF ELECTION FOR OTHER POLITICAL SUBDIVISIONS

An election is hereby ordered to be held on **November 3, 2020** for the purpose of:

**Calling a General Election for four Single Member District Positions on the LISD School Board**

Early Voting by personal appearance will be conducted each weekday at

**1403 Blackjack Street**

(location)

Between the hours of **8:00** am and **5:00** pm beginning on **October 13, 2020**

(date)

and ending on **October 30, 2020**.

(date)

Applications for ballot by mail shall be mailed to:

**Pamela Ohlendorf**

(Name of Early Voting Clerk)

**1403 Blackjack Street**

(Address)

**Lockhart, TX 78644**

(City)

(Zip Code)

Applications for ballots by mail must be received no later than the close of business on **October 23, 2020**.

Additional early voting will be held as follows:

Scott Annex bldg.  
1403 Blackjack St  
Lockhart, TX 78644

And

Luling Civic Center  
333 E Austin St  
Luling, TX 78648

October 13, 2020	Tuesday	8 am to 5 pm
October 14, 2020	Wednesday	8 am to 5 pm
October 15, 2020	Thursday	8 am to 5 pm
October 16, 2020	Friday	8 am to 5 pm
October 17, 2020	Saturday	CLOSED
October 18, 2020	Sunday	CLOSED
October 19, 2020	Monday	8 am to 5 pm
October 20, 2020	Tuesday	8 am to 5 pm
October 21, 2020	Wednesday	8 am to 5 pm
October 22, 2020	Thursday	8 am to 5 pm
October 23, 2020	Friday	8 am to 5 pm

October 24, 2020	Saturday	9 am to 6 pm
October 25, 2020	Sunday	10 am to 3 pm
October 26, 2020	Monday	7 am to 7 pm
October 27, 2020	Tuesday	7 am to 7 pm
October 28, 2020	Wednesday	7 am to 7 pm
October 29, 2020	Thursday	7 am to 7 pm
October 30, 2020	Friday	7 am to 7 pm

Issued this the 17<sup>th</sup> day of August, 20 20.

Carl Cisneros  
Member

Steve Johnson  
Signature of Presiding President

Tom Guyton  
Member

Michael Wright  
Member

Becky Lockhart  
Member

Warren Burnett  
Member

VACANT  
Member

**Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before election day.**

**LOCKHART ISD  
ORDEN DE ELECCION PARA OTRA SUBDIVISION POLITICA**

Por la presente se ordena que se llevará a cabo una elección el 3 de noviembre 2020 con el propósito de:  
(fecha)

**Convocar una Elección General para Cuatro Puestos de Distrito de un Solo Miembro en la Mesa Directiva Escolar de LISD**

La votación adelantada en persona se llevará a cabo de lunes a viernes en

1403 Blackjack Street  
(sitio)

entre las 8:00 de la mañana y las 5:00 de la tarde empezando el <sup>14</sup>13 de octubre 2020  
(fecha)

y terminando el 30 de octubre 2020.  
(fecha)

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

**Pamela Ohlendorf**  
(Nombre del Secretario(a) de Votación Adelantada)  
**1403 Blackjack Street**  
(Dirección )  
**Lockhart, TX 78644**  
(Ciudad) (Zona Postal)

Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el 23 de octubre 2020.  
(fecha)

La votación adelantada además se llevará a cabo de tal manera:

Scott Annex bldg.  
1403 Blackjack St  
Lockhart, TX 78644

y

Luling Civic Center  
333 E Austin St  
Luling, TX 78648

13 octubre 2020	martes	8 am a 5 pm
14 octubre 2020	miércoles	8 am a 5 pm
15 octubre 2020	jueves	8 am a 5 pm
16 octubre 2020	viernes	8 am a 5 pm
17 octubre 2020	sábado	CERRADO
18 octubre 2020	domingo	CERRADO
19 octubre 2020	lunes	8 am a 5 pm
20 octubre 2020	martes	8 am a 5 pm
21 octubre 2020	miércoles	8 am a 5 pm
22 octubre 2020	jueves	8 am a 5 pm
23 octubre 2020	viernes	8 am a 5 pm
24 octubre 2020	sábado	9 am a 6 pm
25 octubre 2020	domingo	10 am a 3 pm
26 octubre 2020	lunes	7 am a 7 pm
27 octubre 2020	martes	7 am a 7 pm
28 octubre 2020	miércoles	7 am a 7 pm
29 octubre 2020	jueves	7 am a 7 pm
30 octubre 2020	viernes	7 am a 7 pm

Emitida este día 17 de agosto, 20 20.

**Carl Cisneros**

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**Steve Johnson**

Miembro

**Tom Guyton**

Miembro

**Becky Lockhart**

Miembro

**VACANTE**

Miembro

Firma del Oficial que Preside

**Michael Wright**

Miembro

**Warren Burnett**

Miembro

**Nota de instrucción: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar 60 días antes del día de elección.**