



**Orrick, Herrington & Sutcliffe LLP**

609 Main Street  
40th Floor  
Houston, TX 77002-3106

+1 713 658 6400

**orrick.com**

**Marcus Deitz**

E mdeitz@orrick.com

D +1 713 658-6420

F +1 713-658 6401

November 2, 2023

**VIA EMAIL AND FEDERAL EXPRESS**

Theresa Almendarez  
Stafford Municipal School District  
1633 Staffordshire Road  
Stafford, Texas 77477

Re: *Stafford Municipal School District – November 2023 Voter-Approval Tax Rate Election (the “Election”)*

Dear Theresa:

In preparation for the Board of Trustees (the “Board”) meeting to canvass the results of the referenced Election (the “Meeting”), enclosed please find a draft Order Canvassing Returns and Declaring Results of Voter-Approval Tax Rate Election (“Order”), together with a Certificate for the Order (“Certificate”), and Acknowledgements of Receipt of Notice (for meeting absentees, if any), each tabbed for signature. Note that Acknowledgements of Receipt of Notice are required *only if* the meeting at which the Order is adopted is a special meeting of the Board. Proposed agenda item language for the Meeting is also enclosed.

In addition, in preparation for the City Council (“City”) meeting to canvass the results of the referenced Election (“City Meeting”), enclosed please find a draft Ordinance Canvassing Returns and Declaring Results of Bond Election (“Ordinance”), together with a Certificate for the Ordinance (“City Certificate”), and Acknowledgements of Receipt of Notice (for meeting absentees, if any), each tabbed for signature. Note that Acknowledgements of Receipt of Notice are required only if the meeting at which the Ordinance is adopted is a special meeting of the City. Proposed agenda item language for the City Meeting is also enclosed.

Please note that the Board and City must consider and take action to adopt the Order and the Ordinance not earlier than the third day (Friday, November 10, 2023) or later than the eleventh

day after the Election; however, because the last day falls on Saturday, November 18, 2023, the deadline is extended to Monday, November 20, 2023.

Please complete the missing information on the Order and on the Certificate and have the appropriate Board officials execute and seal the Order and Certificate.

Please have the City complete the missing information on the Ordinance and on the Certificate and have the appropriate Board officials execute and seal the Order and City Certificate.

Pursuant to Texas Election Code Section 65.016(b), please note that the District is now required to also post on its website certain information regarding the Election results, as noted below, as soon as practicable after the Election and in a manner that is accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the District. The information required is as follows:

- (1) the results of the Election;
- (2) the total number of votes cast;
- (3) the total number of votes cast for or against each measure;
- (4) the total number of votes cast by personal appearance on Election day;
- (5) the total number of votes cast by personal appearance or mail during the early voting period; and
- (6) the total number of counted and uncounted provisional ballots cast.

A Certificate of Posting Election Results (the "Certificate of Posting"), including a form to report said results (the "Form of Results") is enclosed. Please complete the Form of Results and post it on the District's website as noted herein and then please have the Certificate of Posting executed.

Once the documents have been executed, please return the signed documents to the address listed above using the enclosed FedEx envelope.

Please call me if you have any questions.

Very truly yours,



Marcus Deitz

Enclosures

cc: Dr. Robert Bostic, Superintendent, Stafford MSD  
Sonya Austin, Executive Assistant to Superintendent, Stafford MSD  
Kathleen Bethune (Firm)  
Amanda Stephens (Firm)

## CERTIFICATE OF POSTING ELECTION RESULTS

I hereby certify that the Stafford Municipal School District (the “Issuer”) complied with Texas Election Code, Section 65.016(b), with respect to the voter-approval tax rate election (the “Election”) held on November 7, 2023 (“Election Day”), as follows:

1. The Election Results, attached hereto as Exhibit A, were posted on the Issuer’s website as soon as practicable after the Election.
2. The Election Results were accessible without having to make more than two selections or view more than two network locations after accessing the Issuer’s website home page.
3. Screenshots of the Election Results posted to the Issuer’s website are attached hereto as Exhibit B.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT A**

**Election Results**

**Proposition A**

The results of the election on the above-described proposition.	
The total number of votes cast.	
The total number of votes cast <i>for</i> the above-described proposition.	
The total number of votes cast <i>against</i> the above-described proposition.	
The total number of votes cast by personal appearance on Election Day.	
The total number of votes cast by personal appearance or mail during the early voting period.	
The total number of counted and uncounted provisional ballots cast.	

**EXHIBIT B**

**Screenshot of Election Results**

*[to be attached]*



## Memo

---

**To** Theresa Almendarez, Interim Chief Financial Officer, Stafford MSD

**From** Marcus Deitz

**Date** November 2, 2023

**Re** Agenda materials for an Order Canvassing Voter-Approval Tax Rate Election

---

Listed below is appropriate agenda item and recommendation language for the November 13, 2023 special/regular meeting of the Stafford MSD Board of Trustees (the "Board") where the Board will consider an Order Canvassing Voter-Approval Tax Rate Election. If you have any questions, please call me at 713-249-4910.

**Agenda Item Language:**

"Consider adoption of an Order Canvassing Voter-Approved Tax Rate Election."

**MOVANT:** I move that the Board of Trustees adopt the Order Canvassing Voter-Approval Tax Rate Election.

**SECOND:** I second the motion.

The Board President may allow discussion of the item and, following any remarks of the Board members, the Board President should call for a vote on the order.

cc: Dr. Robert Bostic, Superintendent, Stafford MSD  
Sonya Austin, Executive Assistant to Superintendent, Stafford MSD  
Amanda Stephens (firm)  
Kathleen Bethune (firm)

## **CERTIFICATE FOR ORDER**

I, the undersigned officer of the Board of Trustees (the “Board”) of Stafford Municipal School District (the “District”), hereby certify as follows:

1. The Board convened in a regular meeting on November 13, 2023, at the regular meeting place thereof, within the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Manuel Hinojosa, President  
Ash Hamirani, Vice President  
Jacqueline Jean-Baptiste, Secretary  
Dawn Reichling, Member

Patricia Soza-Montelongo, Member  
Suzette Thompson, Member  
Adam Sanchez, Member

and all of said persons were present except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting: a written

### **ORDER CANVASSING RETURNS AND DECLARING RESULTS OF VOTER APPROVAL TAX RATE ELECTION**

was duly introduced for the consideration of such Board. It was then duly moved and seconded that such order be adopted; and, after due discussion, such motion, carrying with it the adoption of such order, prevailed and carried by the following vote:

AYES: \_\_\_\_

NOES: \_\_\_\_

ABSTENTIONS: \_\_\_\_

2. That a true, full and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that such order has been duly recorded in the Board’s minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Board’s minutes of such meeting pertaining to the adoption of such order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that the order would be introduced and considered for adoption at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; that such meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of such meeting was given as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED this \_\_\_\_ day of November 2023.

---

Secretary, Board of Trustees  
Stafford Municipal School District

[SEAL]



**ORDER CANVASSING RETURNS AND DECLARING  
RESULTS OF VOTER-APPROVAL TAX RATE ELECTION**

WHEREAS, on November 7, 2023, there was held within and throughout the territory of the City of Stafford, Texas (the “City”) and Stafford Municipal School District (the “District”) an election (the “Election”) at which there was submitted to the resident, qualified electors of the District the following proposition:

**PROPOSITION A**

Shall the Board of Trustees of the Stafford Municipal School District be authorized to levy an ad valorem tax rate of \$1.027924 per \$100 of the taxable assessed valuation of property within the Stafford Municipal School District for the current tax year, being a rate that is comprised of a maintenance and operations tax rate of \$0.812700 per \$100 of such taxable assessed valuation (and the maximum rate for maintenance and operations for which the District may levy in each year hereafter, being then subject only to annual Board approval) and a debt service tax rate of \$0.215224 per \$100 of such taxable assessed value (an amount that is set annually by the Board), which combined tax rate of \$1.027924 represents an increase of an approximate \$365,748 in maintenance and operations tax revenue to the District in the 2023-2024 school year and a larger amount annually thereafter, which is approximately 1.13 percent higher maintenance and operations tax revenue than the amount collected last year pursuant to Section 26.08, Texas Tax Code, as amended?

WHEREAS, the tabulation of the results of the Election on Proposition A was as follows:

\_\_\_\_\_ Votes For

\_\_\_\_\_ Votes Against

IT IS, THEREFORE, ORDERED BY THE BOARD OF TRUSTEES OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT THAT:

Section 1. Election Results. The Election was duly called and notice thereof given in accordance with law; the Election was held in the manner required by law; only resident, qualified electors of the District voted at the Election; a written return of the election results was made to the District in accordance with the Election Code; and the resident, qualified electors of the District voting in the Election, including absentee voting, voted “FOR” or “AGAINST” Proposition A, as noted above.

Section 2. Tabulation of Votes; Notice of Results. The official returns shall be delivered to the Secretary of the Board of Trustees, who is hereby directed to enter in the Election register the tabulation of the votes cast for and against Proposition A, and to preserve such tabulations as required by law. Notice of the Election results shall be given in the manner required by the Election Code and other applicable law.

Section 3. Notice of Meeting. The Board of Trustees 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 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 Chapter 551, Texas Government Code; 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 4.     Authorization to Execute. The President or Vice President of the Board of Trustees is authorized to execute, and the Secretary of the Board of Trustees is authorized to attest and seal this Order on behalf of the Board of Trustees.

Section 5.     Effective Date. This Order is effective immediately upon its passage and approval.

[Signature page to follow]

PASSED AND APPROVED this \_\_\_\_\_, 2023.

---

President, Board of Trustees  
Stafford Municipal School District

ATTEST:

---

Secretary, Board of Trustees  
Stafford Municipal School District

(SEAL)

Signature Page  
Canvassing Order

**ACKNOWLEDGMENT OF NOTICE OF SPECIAL  
MEETING; WAIVER AND RATIFICATION**

I acknowledge that I received timely and sufficient notice of the special meeting of the Stafford Municipal School District (the “Governing Body”) held on November \_\_\_, 2023, at which the following was adopted:

**ORDER CANVASSING RETURNS AND DECLARING RESULTS  
OF VOTER-APPROVAL TAX RATE ELECTION**

I hereby ratify, adopt and confirm all proceedings had by the Governing Body at said meeting.

WITNESS MY HAND this \_\_\_\_\_, 2023.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



## Memo

---

**To** Roxanne Benitez, City Secretary, Stafford, Texas

**From** Marcus Deitz

**Date** November 2, 2023

**Re** Agenda Materials for an Ordinance Canvassing Returns and Declaring Results of Voter-Approval Tax Rate Election on Behalf of the Stafford Municipal School District

---

Listed below is appropriate agenda item and recommendation language for the meeting of the City Council of the City of Stafford, Texas ("City Council") where City Council will consider the approval of an Ordinance Canvassing Returns and Declaring Results of Voter-Approval Tax Rate Election on behalf of the Stafford Municipal School District. If you have any questions, please call me at 713-249-4910.

Agenda item language:

"Consideration and approval of an Ordinance Canvassing Returns and Declaring Results of the Voter-Approval Tax Rate Election on Behalf of the Stafford Municipal School District."

Recommendation language:

"It is recommended: that City Council approve the Ordinance Canvassing Returns and Declaring Results of the Voter-Approval Tax Rate Election on Behalf of the Stafford Municipal School District."

cc: Theresa Almendarez, Interim Chief Financial Officer, Stafford Municipal School District  
Amanda Stephens (Firm)  
Kathleen Bethune (Firm)

## **CERTIFICATE FOR A ORDINANCE**

I, the undersigned officer of the City of Stafford, Texas (the "City") hereby certify as follows:

1. The City convened in a regular meeting on November 15, 2023, at the regular meeting place thereof, within the City, and the roll was called of the duly constituted officers and members of the City, to-wit:

Ken Mathew, Mayor

Alice C. Chen, Council Member, Position 1

Virginia Rosas, Council Member, Position 2

William K. Bostic Jr., Council Member, Position 3

Christopher Caldwell, Council Member, Position 4

Xavier Herrera, Mayor Pro Tem, Position 5

Tim Wood, Council Member, Position 6

and all said persons were present, except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting: a written

### **ORDINANCE CANVASSING RETURNS AND DECLARING RESULTS OF VOTER-APPROVAL TAX RATE ELECTION ON BEHALF OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT**

was duly introduced for the consideration. It was then duly moved and seconded that such ordinance be adopted; and, after due discussion, such motion, carrying with it the adoption of such ordinance, prevailed and carried by the following vote:

AYES: \_\_\_\_                      NAYS: \_\_\_\_                      ABSTAIN: \_\_\_\_

2. That a true, full and correct copy of the aforesaid ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that such ordinance has been duly recorded in the minutes of the City of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the minutes of such meeting pertaining to the adoption of such ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City as indicated therein; that each of the officers of the City were duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that the ordinance would be introduced and considered for adoption at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; that such meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of such meeting was given as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended.

PASSED AND APPROVED this \_\_\_\_ day of November 2023.

CITY OF STAFFORD, TEXAS

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

(City Seal)

**ORDINANCE NO. \_\_\_\_\_ CANVASSING RETURNS AND  
DECLARING RESULTS OF VOTER-APPROVAL TAX RATE ELECTION  
ON BEHALF OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT**

WHEREAS, on November 7, 2023, there was held within and throughout the territory of the City of Stafford, Texas (the “City”) and Stafford Municipal School District (the “District”) an election (the “Election”) at which there was submitted to the resident, qualified electors of the City and District the following proposition:

**PROPOSITION A**

Shall the Board of Trustees of the Stafford Municipal School District be authorized to levy an ad valorem tax rate of \$1.027924 per \$100 of the taxable assessed valuation of property within the Stafford Municipal School District for the current tax year, being a rate that is comprised of a maintenance and operations tax rate of \$0.812700 per \$100 of such taxable assessed valuation (and the maximum rate for maintenance and operations for which the District may levy in each year hereafter, being then subject only to annual Board approval) and a debt service tax rate of \$0.215224 per \$100 of such taxable assessed value (an amount that is set annually by the Board), which combined tax rate of \$1.027924 represents an increase of an approximate \$365,748 in maintenance and operations tax revenue to the District in the 2023-2024 school year and a larger amount annually thereafter, which is approximately 1.13 percent higher maintenance and operations tax revenue than the amount collected last year pursuant to Section 26.08, Texas Tax Code, as amended?

WHEREAS, the tabulation of the results of the Election on Proposition A was as follows:

\_\_\_\_\_ Votes For

\_\_\_\_\_ Votes Against

IT IS, THEREFORE, ORDERED BY THE CITY OF STAFFORD, TEXAS THAT:

Section 1. Election Results. The Election was duly called and notice thereof given in accordance with law; the Election was held in the manner required by law; only resident, qualified electors of the City and District voted at the Election; a written return of the election results was made to the City in accordance with the Election Code; and the resident, qualified electors of the City and District voting in the Election, including absentee voting, voted “FOR” or “AGAINST” Proposition A, as noted above.

Section 2. Tabulation of Votes; Notice of Results. The official returns shall be delivered to the City Secretary, who is hereby directed to enter in the Election register the tabulation of the votes cast for and against Proposition A, and to preserve such tabulations as required by law. Notice of the Election results shall be given in the manner required by the Election Code and other applicable law.

Section 3. Notice of Meeting. The City officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this



Ordinance is adopted was posted on a bulletin board located at a place convenient to the public at the City's administrative offices for at least 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 City in connection with providing such notice, both as required by Chapter 551, Texas Government Code; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon.

Section 4.     Authorization to Execute. The Mayor or Mayor Pro Tem of the City is authorized to execute, and the City Secretary is authorized to attest and seal this Ordinance on behalf of the City.

Section 5.     Effective Date. This Ordinance is effective immediately upon its passage and approval.

[Signature page to follow]

PASSED AND APPROVED this \_\_\_\_\_, 2023.

---

Ken Mathew, Mayor  
City of Stafford, Texas

ATTEST:

---

Roxanne Benitez, City Secretary  
City of Stafford, Texas

(SEAL)

**ACKNOWLEDGMENT OF NOTICE OF SPECIAL  
SPECIAL MEETING; WAIVER AND RATIFICATION**

I acknowledge that I received timely and sufficient notice of the special meeting of the City Council of the City of Stafford, Texas (the “Governing Body”) held on November \_\_, 2023, at which the following was adopted:

**ORDINANCE CANVASSING RETURNS AND DECLARING RESULTS  
OF VOTER-APPROVAL TAX RATE ELECTION ON BEHALF  
OF THE STAFFORD MUNICIPAL SCHOOL DISTRICT**

I hereby ratify, adopt and confirm all proceedings had by the Governing Body at said meeting.

WITNESS MY HAND this \_\_\_\_\_, 2023.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_