

Legal Review of Texas Community College Service Areas and Local Taxing Districts (Texas Education Code Section 130)

Robstown ISD Proposal

May 10, 2022

Augustin Rivera, Jr.
General Council

Lenora Keas
Exec. Vice President and COO



DEL MAR COLLEGE

Agenda

- Petitions were submitted by *Robstown for Del Mar College*, a Specific-Purpose Political Action Committee, requesting to hold an election to bring Robstown ISD into the College district by annexation on April 26, 2022.
- Review the Texas Education Code related to Annexation by Election Texas Education Code Section 130.065
- Present an overview of the impact on Robstown ISD and the College
- Present steps moving forward

Texas Education Code Sec. 130.0011. PUBLIC JUNIOR COLLEGES; ROLE AND MISSION.

“Texas public junior colleges shall be two-year institutions primarily serving their ***local taxing districts*** and ***service areas*** in Texas and offering vocational, technical, and academic courses for certification or associate degrees.”

Texas Education Code Section 130.177 defines the Del Mar College Service Area as follows:

“DEL MAR COLLEGE-CORPUS CHRISTI JUNIOR COLLEGE DISTRICT SERVICE AREA. The service area of the Del Mar College-Corpus Christi Junior College District includes the territory within:

- (1) the Corpus Christi, West Oso, Calallen, Tuloso-Midway, and Flour Bluff independent school districts, and any area located outside of those school districts that is within the municipality of Corpus Christi;
- (2) Nueces, San Patricio, Aransas, and Kenedy counties; and
- (3) the Riviera Independent School District.”

Expanding a Community College's Taxing District Boundary

- Generally, an area (e.g., independent school district or county) not located in a community college district can be added (annexed) to the district by Contract or Election.
- Election is the most common method

Annexation of Territory by Election (Tex Educ Code 130.065) is a more involved process that requires the submission of a petition by registered voters in the territory, the preparation of a proposed service plan by the district, and an election called by the district at which time the voters in the territory will vote on whether to approve annexation or not.

Texas Educ Code Sec 130.065 provides as follows:

- (a) On presentation to the governing board of a junior college district of a ***petition*** proposing the annexation of territory to the district, the governing board may ***call an election*** on the question of annexing the territory. The petition *must*:
- (1) contain an accurate description of the territory proposed for annexation; and
 - (2) be signed by ***a number of registered voters*** in the territory proposed to be annexed ***equal to at least five percent of the registered voters*** in that territory *as of the most recent general election* for state and county officers.

Next Steps: Public Hearing

(b) Before the governing board of the junior college district may order an annexation election, the board must hold a public hearing within the territory proposed for annexation. The hearing must be held not earlier than the 45th day and not later than the 30th day before the date the board issues the order for the election.

Service Plan

(c) Not later than the 30th day before the date of a public hearing held under Subsection (b), the board shall **complete and publish a service plan** for the territory proposed for annexation. The service plan is **informational only** and must include:

(1) the maximum property tax rate that the board may adopt;

(2) the most recent property tax rate adopted by the board and any tax rate increase proposed or anticipated to occur after the annexation;

(3) the tuition rate that would apply after annexation for a student who resides in the district;

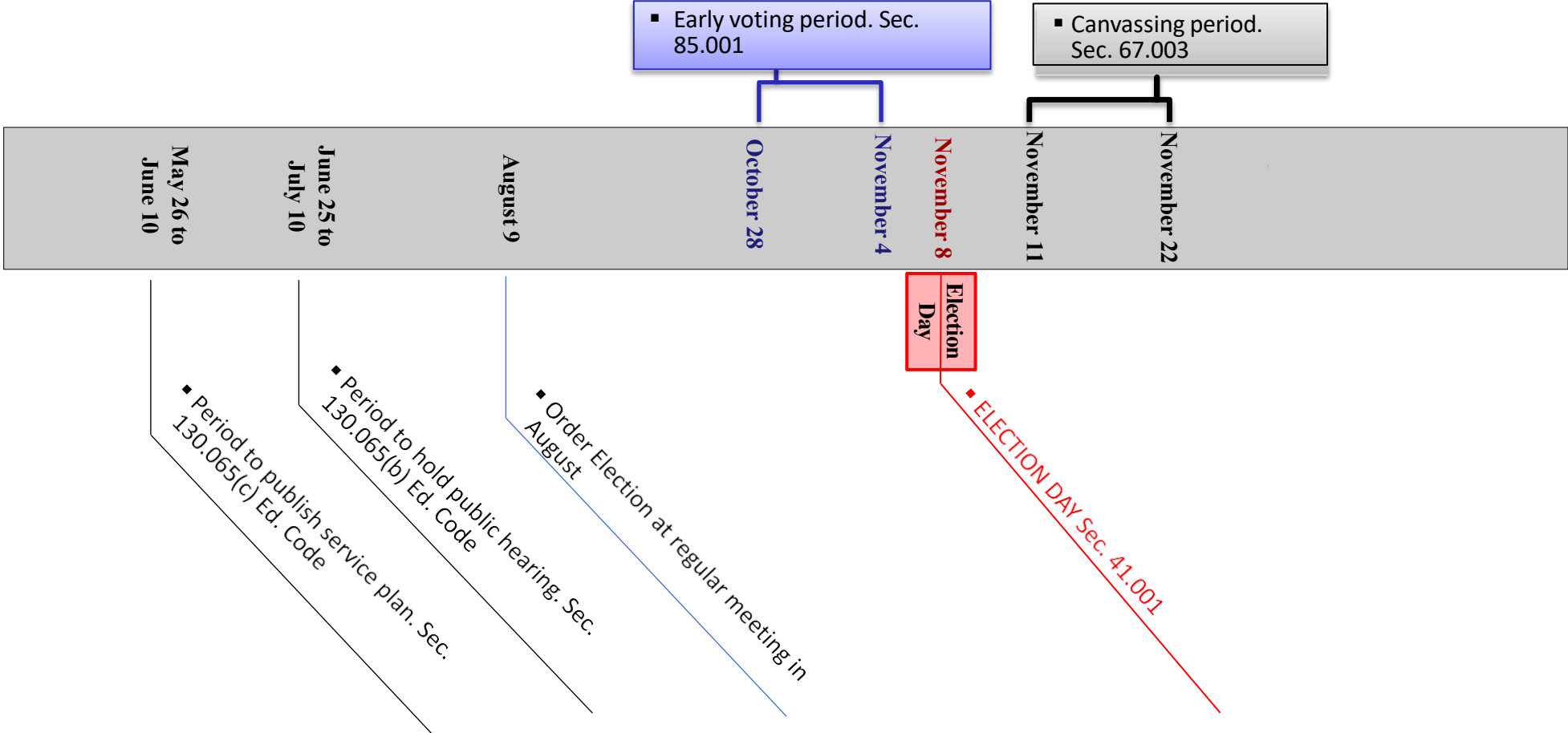
Order for Election and Conducting of Election

(d) The governing board shall issue an order for an election to be held in the territory proposed for annexation on a uniform election date that is not less than 45 days after the date of the order and that affords enough time to hold the election in the manner provided by law. The board shall give notice of the election in the manner provided by law for notice by the county judge of a general election.

(e) The governing board shall conduct the election in accordance with the Election Code.

(f) The election shall be held only in the territory proposed for annexation, and only those registered voters residing in that territory are permitted to vote.

Timeline for Special Annexation Election Process November 8, 2022



Form of Ballot

(g) The ballot shall be printed to provide for voting for or against the proposition: "Approving the annexation by the _____ (name of junior college district) of the following territory: _____ (with the blank filled in with a description of the territory proposed for annexation), and authorizing the imposition of an ad valorem tax for junior college purposes, which is currently set at a rate of _____ (with the blank filled in with the ad valorem tax rate of the district for the current year or, if that rate has not been adopted, the tax rate for the preceding year) per \$100 valuation of taxable property."

Adoption of the Measure and Order of Annexation

(h) The measure is adopted if the measure receives a *favorable vote of a majority* of those voters voting on the measure.

(i) If the measure is adopted, the governing board of the district shall enter an order declaring the result of the election and that the territory is annexed to the junior college district on the date specified in the order.

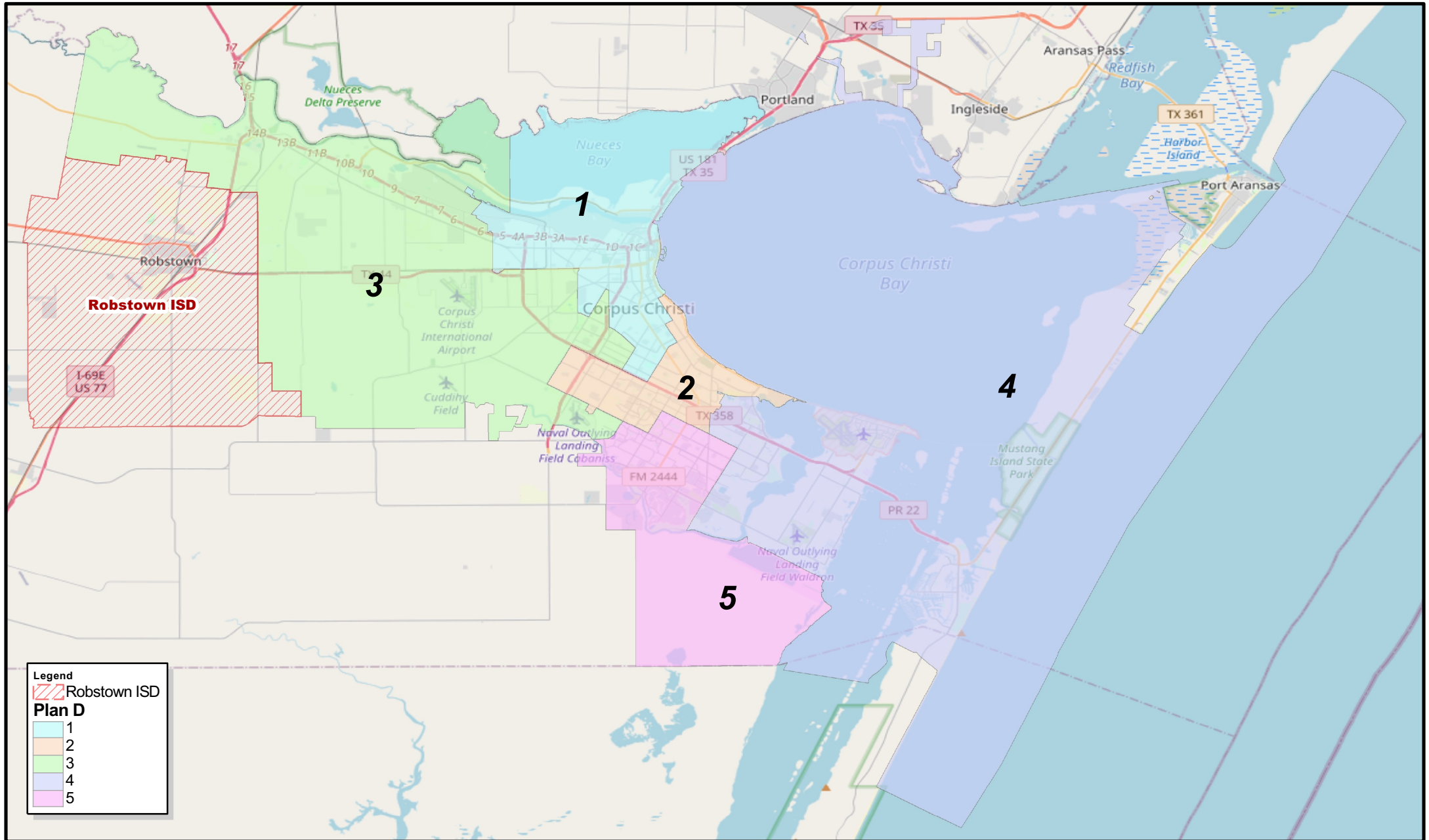
Adoption of the Measure and Order of Annexation

(j) If the proposition is adopted and the governing board is elected from single-member districts, the governing board in the annexation order entered under Subsection (i) ***shall assign the new territory to one or more of the current single-member districts.***

(k) The annexation of territory and any resulting change in the single-member districts from which members of the governing board are elected does not affect the term of a member of the governing board serving on the date the annexation or redistricting takes effect. The governing board shall provide that each member of the governing board representing a single-member district who is holding office on the date the annexation takes effect serve the remainder of the member's term and represent a single-member district in the expanded junior college district for that term regardless of whether the member resides in that single-member district.

Preliminary Thoughts on Integration of Newly Annexed Area

- Newly Annexed Territory can be assigned to one or more existing districts (3, 1, 4), current Regents continue to serve out term
- if annexation occurs after 2020 census data is released, re-balancing has to take place before first election based on 2020 census data
- Bottom line: District composition and lines will likely change in the foreseeable future

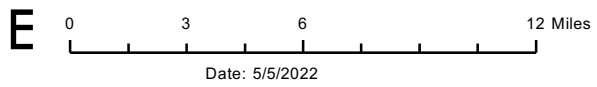


Legend

Robstown ISD

Plan D

- 1
- 2
- 3
- 4
- 5

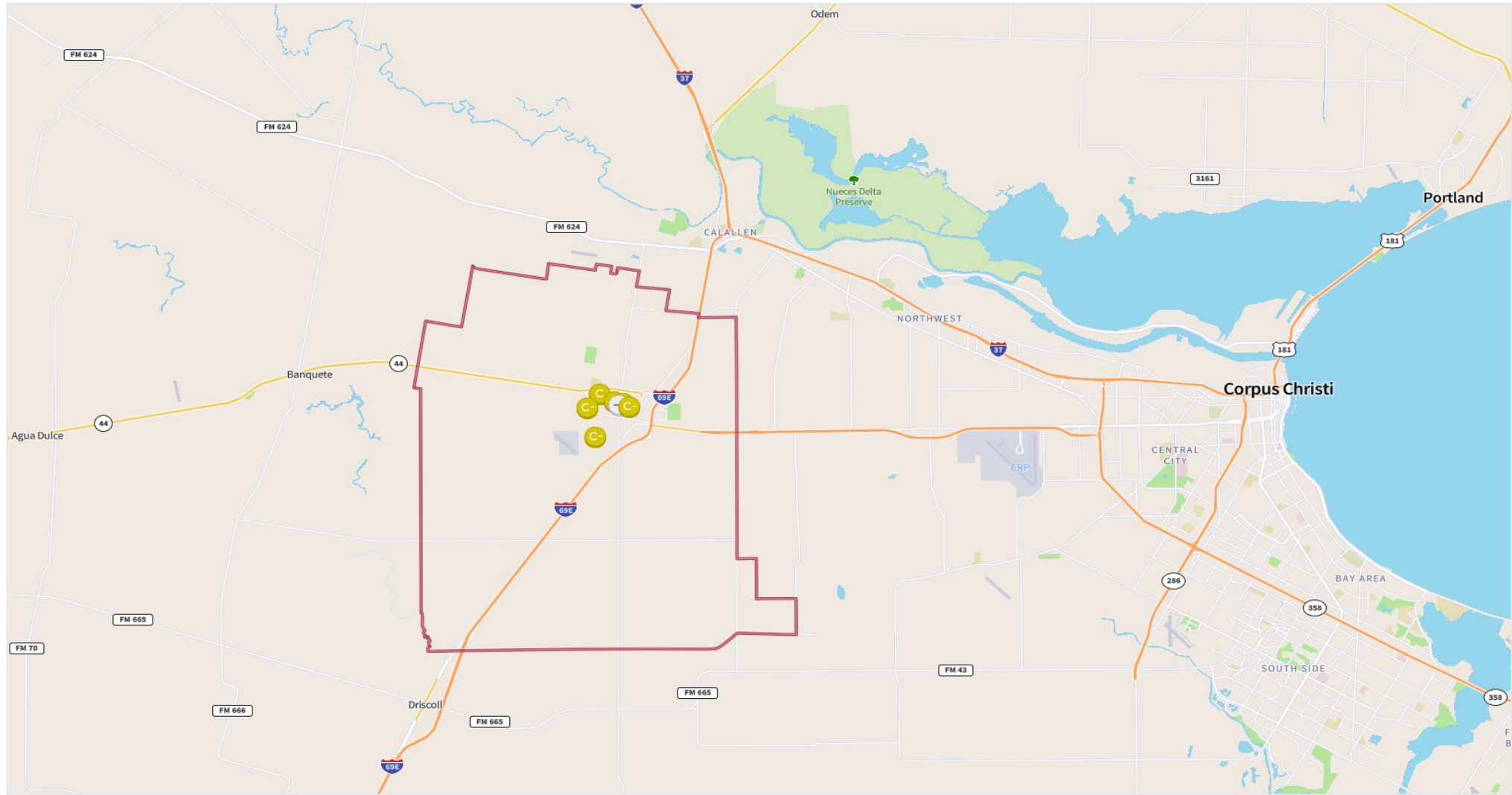


**Del Mar College Trustee Districts
Plan D - Adopted April 12, 2022
With Robstown ISD Area**

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Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau



Robstown ISD Map



Services to Robstown ISD

Unduplicated Enrollments	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022
Continuing Education	129	76	184	190	162
Early College / Dual Credit	76	71	259	234	182
Total	204	147	443	424	344

GRAND TOTAL = 1,562

Projected Impact on Taxes

Robstown Independent School District

- Gross Taxable Value \$637,165,082
Net Taxable Value \$616,588,924
- Tax revenues at present total rate of .283340 = \$1,694,803
- To receive the same tax revenues as 2022 the overall tax rate of .283340 reduces to .277350
- Average taxable home value in RISD is \$59,038
- Tax impact at the present overall tax rate is an increase of \$167 annually or \$14.00 per month.

Tuition and Fees

Semester Hours	District Resident	Out of District	Out of State/Foreign	Difference (District & Out of District)
3	\$406	\$556	\$667	\$150
6	\$727	\$1,027	\$1,249	\$300
9	\$1,048	\$1,498	\$1,831	\$450
12	\$1,369	\$1,969	\$2,413	\$600
15	\$1,690	\$2,440	\$2,995	\$750

Next Steps

- Finalize the validation of the petitions
- Board of Regents may vote to order an election
- Publish a Service Plan for Robstown ISD and schedule a Public Hearing
- With Board approval, order an election for November 8, 2022
- Follow the timeline established in statutes – see the calendar

Questions?