

**RESOLUTION NO. 959**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS, CALLING A GENERAL ELECTION FOR CITY COUNCIL DISTRICT NO. 3 AND CITY COUNCIL DISTRICT NO. 5 TO BE ADMINISTERED BY THE KAUFMAN COUNTY ELECTION OFFICER ON SATURDAY MAY 2, 2020, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR DISTRICT NO. 3 AND A COUNCIL MEMBER FOR DISTRICT NO. 5 FOR A THREE (3) YEAR TERM; DESIGNATING THE POLLING PLACES AND FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (the “Code”) specifies that the first Saturday in May shall be a “uniform election date” and that a general election of a city may be held on such day; and

**WHEREAS**, the City Council of the City of Terrell, Texas, (hereinafter referred to as the “City”) has determined that the City shall conduct general municipal elections on the first Saturday in May, 2020; and

**WHEREAS**, by this Resolution it is the intention of the City Council to (i) call for said election to be held on said date, (ii) designate the polling places for the election and (iii) establish and set forth procedures for conducting said election.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS:**

**Section 1. Incorporation of Premises.** That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

**Section 2. Election Date; Purpose of Election; Officers and Terms of Office.** That a General Election is hereby ordered to be held for City Council District No. 3 and City Council District No. 5 on Saturday May 2, 2020, for the purpose of electing a Council Member for District No. 3 and a Council Member for District No. 5 for a three (3) year term.

**Section 3. Eligibility for Candidacy.** In accordance with Section 22.032 of the Texas Local Government Code and Section 2.01 of the City Charter of the City of Terrell, no person shall be eligible for the office of Council District No. 3 or Council District No. 5 unless he/she is a citizen of the United States; a qualified voter in the State of Texas; have resided within the corporate limits of the City not less than six (6) months preceding Election Day and live in the district he/she wishes to represent; must not have been convicted of a felony and must not be disqualified by reason of any provision of any other section of the Terrell City Charter.

**Section 4. Application for a Place on the Ballot.** In accordance with Section 143.007 of the Texas Election Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the office of City Council District No. 3 or City Council District No. 5 by filing his/her sworn application with the City Secretary not earlier than 8:00 A.M. on January 15, 2020, and not later than 5:00 P.M. February 14, 2020. Each such application shall be on a form as prescribed by Texas Election Code Section 141.031. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary or his designee as provided by Texas Election Code Section 52.094. Notice of the time and place for such drawing shall be given in accordance with the Texas Election Code.

**Section 5. Election Precinct; Polling Place; Election Hours.** City Council District No. 3 and City Council District No. 5 polling places are as designated on Exhibit "A" attached hereto and made a part hereof for all purposes. Said polling places shall be open from 7:00 A.M. until 7:00 P.M. on the date of the election.

**Section 6. Early Voting.** Early voting by personal appearance shall be conducted as set forth on Exhibit "A".

Applications for ballot by mail shall be requested from and mailed to the Kaufman County Election Officer, Attn: Teresa Floyd, P.O. Box 339, Kaufman, Texas 75142. Applications for ballots by mail must be received no later than the close of business on Thursday, April 20, 2020.

**Section 7. Method of Voting.** Election Systems & Software (E.S.&S.) voting machines shall be used for early voting by personal appearance and for Election Day voting. The Kaufman County Election Officer uses HAVA compliant equipment manufactured by Election Systems & Software (E.S.&S.)

**Section 8. Governing Law; Qualified Voters.** The election shall be held in accordance with the constitution of the State of Texas and the Texas Election Code. All resident qualified electors of the City shall be eligible to vote at the election.

**Section 9. Publication and Posting of the Notice.** Notice of the election shall be given by posting a Notice of Election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less than twenty-one (21) days prior to the date upon which

the election is to be held and by publication of said notice at least once in a newspaper of general circulation within the City, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the election.

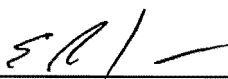
**Section 10. Delivery of Returns; Preservation of Election Records.** The Kaufman County Election Officer shall prepare the unofficial tabulation report after all precincts have been counted and will provide a copy of the report to the City Secretary as soon as possible after all returns have been tabulated. The Kaufman County Election Officer is hereby appointed as the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

**Section 11. Canvassing of Returns.** The City Council of the City of Terrell shall convene on Tuesday, May 19, 2020, at 7:00 P.M. to canvass the returns of the election.

**Section 12. Necessary Action.** The City Secretary of the City of Terrell, in consultation with the City Attorney, is hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 13. Effective Date.** This Resolution shall be in force and effect from and after its passage and it is accordingly **SO RESOLVED.**

**PASSED AND APPROVED** by the City Council of the City of Terrell, Kaufman County, Texas, on the 17<sup>th</sup> day of January, 2020.

  
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**E. Rick Carmona, Mayor**

**ATTEST:**

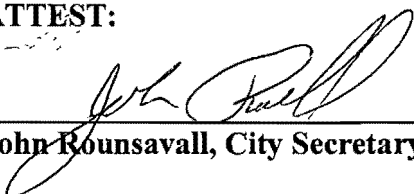
  
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**John Rounsavall, City Secretary**



Exhibit A

**EARLY VOTING LOCATIONS AND TIME PERIODS  
MAY 2, 2020 CITY & SCHOOL**

Early Voting: Monday, April 20, 2020 through Tuesday, April 28, 2020

**Early voting hours:**

Hours: 8:00 A.M. – 5:00 P.M. Monday April 20, 2020 through Wednesday April 22, 2020.  
Hours: 7:00 A.M. – 7:00 P.M. Thursday April 23, 2020  
Hours: 8:00 A.M. – 5:00 P.M. Friday April 24, 2020  
Hours: 7:00 A.M. – 7:00 P.M. Monday, April 27, 2020  
Hours: 8:00 A.M. – 5:00 P.M. Tuesday April 28, 2020

**Locations:**

1. **Kaufman County Courthouse Annex 2. Forney Sub Courthouse**  
100 N. Washington Street  
Kaufman, Texas 75142
- 200 E Main St.  
Forney, TX 75126
2. **Kemp Sub Courthouse**  
103 N. Main  
Kemp, Texas 75143
4. **Crandall Combine CC**  
500 W. Lewis/FM 3039  
Crandall, TX 75114
5. **Scurry/Rosser ISD Adm. Bldg.**  
10705 State Hwy 34  
Scurry, TX 75158
6. **Mabank City Hall**  
129 E. Market  
Mabank, TX 75147
7. **Terrell Sub Courthouse**  
408 E. College St.  
Terrell, TX 75160

**Voting by Mail:** Mail-in ballots should be sent to the address below.

Brenda Samples  
Early Voting Clerk  
Kaufman County Courthouse Annex  
P.O. Box 339  
Kaufman, Texas 75142

**ELECTION DAY:** On Election Day, May 2, 2020 voters may vote at the Terrell Sub-Courthouse 408 E. College St. Terrell, Tx 75160. from:  
**7:00 A.M to 7:00 P.M.**

**CENTRAL COUNTING STATION  
EQUIPMENT**

Kaufman County Courthouse Annex  
Software)  
100 N. Washington St.  
Kaufman, Texas 75142

**HAVA COMPLIANT**

ES&S (Election Systems and  
DS200: Digital Image Scanner  
Express Vote BMD