

RESOLUTION NO. 2063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, AMENDING RESOLUTION NO. 2057 CALLING A GENERAL ELECTION FOR THE CITY OF TERRELL, TEXAS, TO BE ADMINISTERED BY THE KAUFMAN COUNTY ELECTIONS ADMINISTRATOR ON SATURDAY MAY 6, 2023, 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 date; and

WHEREAS, the City Council of the City of Terrell, Texas, (hereinafter referred to as the “City”) has determined that the City shall conduct a general election on the first Saturday in May, with such election date being May 6, 2023; 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 on Saturday, May 6, 2023, 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 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 Council District No. 3 or Council District No. 5 by filing his/her sworn application with the City Secretary not later than 5:00 P.M. February 17, 2023. 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 her 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. The polling places for the election are 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 Elections Administrator, Attn: Tandi Smith, P.O. Box 1347, Kaufman, Texas 75142. Applications for ballots by mail must be received no later than the close of business on Tuesday, April 25, 2023.

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 Administrator 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 Council District No. 3 and Council District No. 5 shall be eligible to vote for their respective Council member 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 Terrell 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 Administrator 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 Administrator 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 16, 2023, at 6:00 P.M, or at the next regular City Council meeting after receipt of returns from the Kaufman County Election Administrator 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 28th day of February, 2023.



E. Rick Carmona, Mayor

ATTEST:



Dawn Steil, City Secretary



Dawn Steil, City Secretary



EXHIBIT A

EARLY VOTING DATES AND TIMES FOR THE JOINT ELECTION

(Fechas y Horarios de Votación Adelantada para la Elección Conjunta)

TO BE HELD ON MAY 6, 2023

(que se llevara a cabo 6 de Mayo del 2023)

April (Abril) 24 - 28	Monday-Friday (<i>Lunes a Viernes</i>)	8 a.m. to 5 p.m.
April (Abril) 29	Saturday (<i>Sabado</i>)	8 a.m. to 5 p.m.
April (Abril) 30	Sunday (<i>Domingo</i>)	12 p.m. to 6 p.m.
May (mayo) 1 - 2	Monday – Tuesday (<i>Lunes y Martes</i>)	7 a.m. to 7 p.m.

	Location (ubicación)	Room (Cuarto)	Address (dirección)	City (ciudad)	Zip (código postal)
01	KAUFMAN COUNTY LIBRARY** <small>** Main Location/Ubicación principal</small>	Community Room	3790 S. Houston Street	Kaufman	75142
02	FORNEY SUB COURTHOUSE	Court Room	200 E. Main Street	Forney	75126
03	TERRELL SUB COURTHOUSE	Training Center	408 E. College Street	Terrell	75160
04	KEMP SUB COURTHOUSE	Court Room	103 N. Main Street	Kemp	75143
05	CRANDALL/COMBINE COMMUNITY CENTER	Community Room	500 W. Lewis	Crandall	75114
06	MABANK CITY HALL	Council Chambers	129 E. Market St.	Mabank	75147
07	SCURRY ROSSER ADMIN.	Administration Bldg.	10705 S. State Hwy 34	Scurry	75158



EXHIBIT B - ELECTION DAY VOTE CENTERS

Polls open from 7:00 am to 7:00 pm/ Horario de votación n estar n abiertos de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before April 6, 2023. A voter may vote at any of the Election Day Vote Centers for the 2023 Joint Election. *Las ubicaciones para centros de voto de días de votación se establecer n para cualquier votante calificado con una fecha efectiva de registro en o antes del 06 de abril de 2023. Un votante puede votar en cualquiera de los centros de votación de día de las elecciones para las Elección n Conjunta de 2023.*

VC#	LOCATION	ROOM	ADDRESS	CITY	ZIP
3	First Baptist Church, Forney	Chapel	1003 FM 741	Forney	75126
4	Talty Baptist Church	Fellowship Hall	5210 N FM 148	Crandall	75114
8	Terrell Sub-Courthouse	Training Center	408 E. College St	Terrell	75160
10	Scurry Rosser ISD Admin Bldg.	Admin Bldg.	10705 State Hwy 34	Scurry	75158
13	Mustang Creek Church	Foyer	13851 FM 548	Forney	75126
15	First Baptist Church, Kemp	Great Room	1320 S. Elm	Kemp	75143
16	Mabank City Hall	Council Chambers	129 E Market St	Mabank	75147
18	Crandall/Combine Community Ctr.	Community Center	500 W Lewis/FM3039	Crandall	75114
19	First Assembly of God Church	Fellowship Hall	203 Main St	Terrell	75160
20	Bingo Hall -Terrell	Storeroom	14701 Hwy 205	Terrell	75160
21	Abner Baptist Church	Fellowship Hall	6877 FM 2727	Kaufman	75142
22	Post Oak Bend Community Center	Community Ctr	1175 CR 278	Kaufman	75142
25	Forney Sub Courthouse	Court Room	200 E Main St.	Forney	75126
26	Bethlehem Baptist Church	Gym	500 S Frances St.	Terrell	75160
27	East Side Church of Christ	Foyer	627 S. FM 548	Forney	75126
28	Kaufman County Library	Community Rm	3790 S. Houston St.	Kaufman	75142
29	The Oasis	Lobby	3558 Kirby Ln.	Heartland	75126
30	Warsaw Community Center	Lobby	6430 FM 148	Kaufman	75142